

HEARING TO CONSIDER PENDING NOMINATIONS

HEARING

BEFORE THE

COMMITTEE ON VETERANS' AFFAIRS

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HEARING TO CONSIDER PENDING NOMINATIONS

WEDNESDAY, JULY 27, 2022

U.S. SENATE,
COMMITTEE ON VETERANS' AFFAIRS,
Washington, DC.

The Committee met, pursuant to notice, at 2:16 p.m., in Room SR-418, Russell Senate Office Building, Hon. Jon Tester, Chairman of the Committee, presiding.

Present: Senators Tester, Murray, Brown, Blumenthal, Hassan, Moran, Cassidy, Tillis, Blackburn, and Tuberville.

OPENING STATEMENT OF CHAIRMAN TESTER

Chairman TESTER. I call this hearing of the Senate Veterans' Affairs Committee to order.

The purpose of this hearing will be to hear from the President's nominees to serve as General Counsel, Anjali Chaturvedi, and Chairman of the Board of Veterans' Appeals, Jaime Areizaga. I appreciate both of you accepting the responsibilities that come with the duties for which you have been nominated.

Ms. Chaturvedi, let us start with you. If confirmed, you will serve as the VA's in-house counsel responsible for providing legal advice and representation to the Department. Your office will provide a comprehensive evaluation of legislation for its legal basis and impact. If confirmed, you will be called upon to evaluate and help implement the comprehensive toxic exposure legislation that we hope to send to the President's desk next week.

The Department struggles with meeting congressional intent, as seen with the caregivers regulations out of the previous administration, and quickly implementing provisions that give veterans access to lifesaving health care and life-changing benefits. I will look to you to help ensure the Department implements the toxic exposure legislation in line with congressional intent as soon as possible, and I will hope to see you—I hope you will see Congress as a partner in this effort.

Mr. Areizaga, you have been nominated to lead the Board of Veterans' Appeals. This is a heavy responsibility as veterans rely on the Board to give them the correct decision. Your predecessor did well to guide the Board through the worst of the pandemic. Veterans now conveniently get a hearing virtually with their laptops or their smartphone. The Board needs a leader to expand on those successes as it navigates a rising caseload while winding down legacy appeals, a leader who understands veterans do not need a quick decision, they need a correct decision.

Thank you both for your willingness to serve. I look forward to our dialogue today, and with that, I will turn to Senator Moran.

OPENING STATEMENT OF SENATOR MORAN

Senator MORAN. Mr. Chairman, I would like to introduce the Senator from Virginia, I think, as you did so well in pronouncing the names of the witnesses before you. And I would introduce Senator Kaine as the Senator from Kansas, but I assume he is going to make an introduction as well.

Chairman Tester, thank you. I appreciate our two nominees for being with us here today and your willingness to serve.

The VA General Counsel and the Board of Veterans' Appeals Chairman are both key positions tasked with ensuring we get it right for veterans. The General Counsel must make certain the VA is following the law that we craft and we pass. The BVA Chairman is charged with making sure we get the decisions on veterans' claims right so that they can be—so they can access the benefits they deserve right and timely.

I am frustrated on many instances with the Department of Veterans Affairs's willingness to ignore the law. The U.S. Constitution directs Congress to enact laws and charges the Executive Branch with faithfully implementing them. It is disappointing to me the number of times it seems to me that the VA is doing legal gymnastics so the Department can justify an action that is clearly inconsistent with the text of the law and the intent of Congress.

I would remind both of you to keep in mind the simple and fundamental principle of legal interpretation dating back to the Roman era. Do not depart from the words of the law. If the law is not the outcome that you want, the Department does not want, bring the issue to us and let us see if we can correct the law in accordance with your desires or whether we are satisfied with where we are.

It is usually the case that when we pass a law it is because we have heard from a constituent, a veteran, about how our country could better meet its obligations to care for those who have borne the battle. When the VA diverges from faithful execution of law, it undermines the democratic process. I look forward to hearing from each of you how you will take care to see that the VA faithfully implements the law and affords veterans seeking benefits all the considerations the law allows, adjudicating their claims.

VA and Congress must work together to fulfill our Nation's obligations to our veterans. If you are confirmed, you will play an integral part in making that happen, and I again thank you for your willingness to serve. You have served before, and your willingness to continue to serve, and I am grateful for that.

Before I yield back, Mr. Chairman, I want to take a moment to note that today is National Korean War Veterans Armistice Day. Unfortunately, the Korean War has come to be known as the forgotten war in our country. I remember not too long ago going to my local library to find books about the Korean War and almost nothing was on the bookshelves.

I am pleased to see today's unveiling of the new Wall of Remembrance at the Korean War Veterans Memorial on the National Mall. Our country must never forget the servicemembers who

fought and protected democracy in Korea, and we must honor all and remember the service and sacrifice for those who fought and died in that war.

To our Korean War veterans, I know me and my colleagues here today know; please know that you are not forgotten by us. We honor you, and we respect you, and your country is grateful to you for what you have sacrificed to benefit each of us.

Thank you, Mr. Chairman.

Chairman TESTER. Thank you, Senator Moran.

We are going to juggle the schedule a little bit here since Senator Feinstein is not here. I am going to swear you in to begin with, and then we will have Senator Kaine introduce whichever nominee he wants. I got a notion I know which one. And then I will have you do—Mr. Areizaga, I will have you do your opening statement if Dianne is not here yet, and then by then she will be here.

So I would ask both nominees to stand, please. Do you, state your name—

Ms. CHATURVEDI. I, Anjali Chaturvedi.

Mr. AREIZAGA-SOTO. I, Jaime Areizaga-Soto.

Chairman TESTER [continuing]. Solemnly swear or affirm that the testimony you are about to give before the U.S. Senate Committee on Veterans' Affairs will be the truth, the whole truth, and nothing but the truth so help you God?

Ms. CHATURVEDI. I do.

Mr. AREIZAGA-SOTO. I do.

Chairman TESTER. Let the record reflect that they both responded in the affirmative.

I will now recognize maybe the nicest guy that serves in the United States Senate, Senator Kaine.

Senator KAINE. Well, wow, I had better be good after that.

Chairman Tester. Patty just kneed me, by the way.

INTRODUCTION BY THE HONORABLE TIM KAINE

Senator KAINE. Chairman Tester, Ranking Member Moran, and members of this important Committee, I want to thank you for the opportunity to introduce a close friend of over 15 years and fellow Virginian, Jaime Areizaga-Soto, President Biden's nominee to serve as the Chairman of the Board of Veterans' Appeals.

Jaime is a graduate of Georgetown School of Foreign Service and Stanford Law School. He has an impressive career as an Army general officer, as a public and private lawyer, and as a member of the Virginia Cabinet for two Governors. For over a decade, Jaime worked as an international lawyer for notable U.S. law firms, developing large infrastructure projects. He served as a judge advocate general in the Army National Guard at the same time.

During the last 15 years, he has dedicated himself to public service, serving as a White House Fellow at the Department of Treasury during the George W. Bush administration and then as a senior attorney advisor of USAID during the Obama administration. He graduated from the Inter American Defense College at Ft. McNair here in Washington, where he was elected as the president of his class by senior officers representing all U.S. Service branches in 14 Latin American countries.

On the veterans' front, Jaime served in the Cabinet of Virginia as the Deputy Secretary of Veterans and Defense Affairs for the previous two Governors, supporting approximately 730,000 Virginia veterans, 130,000 active duty members, and all of their families. As a Cabinet member in the Commonwealth, Jaime developed and implemented initiatives on a whole range of activities for military families and veterans, including developing a strategy to enable the construction of two 128-bed veteran care centers.

His work with our veterans agency led to many advances, opening 10 new benefits offices around the State, setting up a program, the V3 Program, that hired 35,000 veterans exiting out of active service, developing the Military Medics and Corpsman Program, making Virginia the first State in the country to functionally end veterans homelessness in November 2015 and, in doing so, housing more than 3,200 homeless veterans, and finally reaching an agreement between the Navy, the Guard, and other State entities to ensure the use of Virginia's Camp Pendleton by the Navy for critical training.

Jaime has also worn the Army uniform for almost 35 years as a citizen soldier, and he is the proud son of a Korean War veteran, mindful of Senator Moran's comments about today, who is here with him. He has mobilized often as a senior Army lawyer. From 2018 to '21, he was mobilized as the Chief of the Army National Guard Trial Defense Service. He led, managed, trained, and evaluated 218 attorneys and paralegals across each of the 54 National Guards, helping defend those who defend the country. He is currently mobilized and serving as the Deputy General Counsel of the National Guard Bureau.

He has received numerous awards for his service to the National Guard, and in particular, in 2021, Jaime was promoted to the rank of Brigadier General, which made him the first Hispanic in the Army's 247-year history to be designated a JAG general officer.

I wholeheartedly endorse Jaime to serve as the next Chairman of the Board of Veterans' Appeals and really appreciate the opportunity to come and share these words about my friend.

Chairman TESTER. Thank you, Senator Kaine. Very nice introduction.

Next, we have—we are honored to have the senior Senator from the great State of California, Senator Feinstein.

INTRODUCTION BY THE HONORABLE DIANNE FEINSTEIN

Senator FEINSTEIN. Well, thank you very much, Mr. Chairman. I appreciate the due respect to my State, and 30 million people do, too, so thank you very much.

I am very pleased to be here for the consideration of Anjali Chaturvedi. She has been nominated, as we all know, to serve as the General Counsel of the Department of Veterans Affairs. She is an experienced attorney. She has worked extensively in government and the private sector, and I had the pleasure of working with her when she served as my counsel on the staff for the Senate Judiciary Committee. That was a while ago.

She is a proud first-generation American, and she and her family are really a great example—I have learned this firsthand—of the American Dream in action.

After earning her undergraduate degree at Cornell and her law degree at Georgetown University Law School, Ms. Chaturvedi spent the first 12 years of her career in public service, including as a law clerk for the District of Columbia Superior Court and as an assistant U.S. attorney. After a dozen years of public service, Ms. Chaturvedi broadened her professional experience with a move to private practice before returning to public service earlier this year as a deputy assistant attorney general for the Department of Justice's Criminal Division.

Her extensive experience in and out of government, I think, is going to serve her very well as General Counsel for the Department of Veterans Affairs. I am very proud of her. Ms. Chaturvedi is passionate about public service, but she is also passionate about caring for public servants, and that is especially true for veterans. She has several veterans in her family.

I believe that she is well qualified to serve as General Counsel for the Department and will ensure that the Agency complies with the law while taking full advantage of the authorities given to it by Congress to care for our Nation's veterans. I thank the Committee for their consideration, and I think we all look forward to working with you.

So thank you very much, Mr. Chairman.

Chairman TESTER. Thank you. Thank you, Senator Feinstein.

I think we will go back to the original order, and we will start with you, Ms. Chaturvedi, and you may proceed.

Senator Feinstein. Thank you.

STATEMENT OF ANJALI CHATURVEDI

Ms. CHATURVEDI. Thank you, Chairman Tester, Ranking Member Moran, distinguished members of the Committee. I am honored to appear before you today as the nominee to serve as the next General Counsel of the Department of Veterans Affairs. I am grateful to the President for his confidence in nominating me to this position.

I want to thank Senator Feinstein for that very kind introduction.

Senator FEINSTEIN. I loved it. Thank you.

Ms. CHATURVEDI. Thank you. It was almost 20 years ago that I served on Senator Feinstein's Judiciary Committee staff as counsel. I learned so much about the workings of the U.S. Senate, the extraordinary work of the staff. I also learned by watching Senator Feinstein what it means to be a servant leader.

I want to extend my congratulations to Jaime Areizaga-Soto for his nomination as Chair of the Board of Veterans' Appeals.

I would like to introduce my family: my husband, Terrence Clark, who served in law enforcement for 27 years; my sister, Anupama Chaturvedi Connor; my uncle, Vinay Chaturvedi; and my mother-in-law, Virginia Storjohann, and her husband, Neil Scarlett. But the most important person here for me today is my 12-year-old son, Kiran Chaturvedi Clark, a rising seventh grader, who we brought back just this morning from West Virginia, where he is at sleepaway camp, so that he could attend today's hearings.

When I married Terry, I married into a military family. Our nephew enlisted in the Army and served in the Infantry in Afghan-

istan, and his wife, a West Point graduate, was a Blackhawk test pilot, also deployed to Afghanistan.

My late father-in-law, Terry's stepfather, served in the Korean War. In fact, his passing was just this past Monday, and as Senator Moran mentioned, today is a day to honor our veterans who served in the Korean War.

Neil Scarlett served in the Air National Guard and the Air Force. Terry's father, William Clark, served in the Army National Guard, and my mother-in-law worked in VA hospitals in Iowa City and in Denver.

I am so grateful for what our veterans, including my own family, have done for all of us in serving our country, and I do believe it is our sacred duty to serve our veterans, their families, their survivors, and their caregivers.

I am a child of immigrants and first-generation American. My parents, Ram and Saroj Chaturvedi, came to the United States in 1964, thinking they would stay for just one year as my father finished his education. But they saw the promise that this country offered, what they could contribute, and they built a life here. They became part of the fabric of their small, Upstate New York rural community, where my father was a physics professor in a public school for 41 years, where my mother got her second master's degree, and where my parents raised me, my brother, Rakesh, and my sister.

I am so sorry that they have passed away and that they are not here today, but I know that I would not be in front of you without them as my guiding light. It was my parents who instilled in me the values of hard work and service: service to family, service to community, and service to country. They were thrilled that when I became a lawyer I represented the United States of America as I did for 12 years as an assistant United States attorney in Washington, DC, and also the Northern District of California.

I left DOJ to gain diversity of experience in other areas of law, including private practice and in large, global corporate settings, where I worked for 16 years in complex, diverse, regulated organizations. Over the years, I have led many high-performing and empathetic teams.

I returned to DOJ earlier this year to serve as a deputy assistant attorney general because in the same way that my parents instilled in me the value of public service I wanted to show my son through my example what it means to be a public servant.

Now I have been called to serve at the Department of Veterans Affairs. I believe in the mission of VA. The core responsibility of VA is providing our veterans with the health care and benefits they have earned and to make sure that at their passing they are treated with the honor that they deserve. And in meeting these responsibilities, VA must ensure that our veterans, their families, their survivors and caregivers are treated with integrity, compassion, and respect.

I had the good fortune of working with veterans when I was a prosecutor: JAG lawyers and law enforcement officers who previously served in the military. I also worked alongside veterans in private practice, most recently at Northrop Grumman, where approximately 14 percent of the workforce are made up of veterans.

I have also done pro bono work on behalf of veterans, including mentoring returning veterans.

The opportunity to serve the people who have served us, who have defended our freedoms, is an honor that I do not take lightly. The work of VA, including the Office of General Counsel, must be excellent; it must be veteran-focused; it must drive efficient and ethical results, all in service to the safety and well-being of our veterans. I promise you, if confirmed, I will be faithful to these commitments every day as the General Counsel of the Department of Veterans Affairs.

I thank you so much for allowing me the chance to appear today, and I look forward to answering your questions.

[The prepared statement of Ms. Chaturvedi appears on page 25 of the Appendix.]

Chairman TESTER. Thank you, Ms. Chaturvedi.
Mr. Areizaga, you have the floor.

STATEMENT OF JAIME AREIZAGA-SOTO

Mr. AREIZAGA-SOTO. Chairman Tester, Ranking Member Moran, and committee members, I am humbled and honored to appear in front of you to offer my record and commitment to serve my fellow veterans as the Chair of the Board of Veterans' Appeals. I am grateful to President Biden for his confidence in nominating me and congratulate Ms. Anjali Chaturvedi on her nomination. I want to thank my own Senators, Kaine and Warner, for their excellent service, leadership, and active mentorship.

I would not be here but for the sacrifice and lessons of so many. First and foremost, my mother, Baldamina Soto, a retired elementary school teacher, and my father, José Francisco Areizaga, a Korean War veteran and lifelong public servant, both of whom flew from the Commonwealth of Puerto Rico to join us. Their lives have been committed to service, love, and faith. Through their sacrifice, they raised and educated four children, including my brother, Javier, who is also here.

I want to recognize my son, José Juan, who serves as my inspiration to do everything I can to leave a world which is safer for democracy and where we are more respectful to each other and to Mother Earth.

I want to thank my teachers, professors, and mentors inside and outside a classroom for their lessons and shared wisdom. They all instill in me a vocation of service. My lifelong focus as a citizen soldier, international lawyer, and public official has been service to others. Since turning 18 and for almost 35 years, I have served in the Army and the National Guard. At present, I serve in uniform, mobilized full-time as a deputy general counsel at the National Guard Bureau. I knew the importance of the Guard to our common good. The last six years have demonstrated the superb service that the Guard does when our citizens are most vulnerable due to threats at home or abroad.

I want to thank retired General William Navas for his mentorship in the National Guard and retired Colonel Victor Tall, who was my first supervisor when I joined the Army JAG Corps in the 1990s and who is here today. I also thank those who have

served as mentors in veterans affairs, like retired Admiral John Harvey, former Fleet Forces Commander, with whom I tagged as Secretary of Veterans and Defense Affairs in Virginia.

Finally, I want to thank the White House Fellow community for our dedication to servant leadership, bipartisanship, and public service. They are represented here by my classmate and fellow Guardsman, retired Air Force General Bobbi Doorenbos.

Since childhood, I have been inspired by the selfless service and sacrifice of so many veterans. Almost 20 of my relatives have served in the military, such as my uncle, who, like so many Puerto Ricans, fought bravely in Korea. It is our sacred duty to support our veterans after they have served and sacrificed for all of us.

My experience as an attorney in the private, public, and military arenas for over 25 years leading large, legal organizations, will enable me, if confirmed, to continue the substantial improvements made at the Board. My leadership mentality follows the Army principle of "Mission First, People Always." I complement it with my own, "One Team, One Fight" approach, so I will center my leadership of the almost 1,200 highly capable and dedicated Federal public servants at the Board with the sacred mission of ensuring each veteran is cared for.

I am inspired by Secretary McDonough's commitment for increased access with better outcomes at the VA and to eliminate the functional backlog at the Board.

I commend the Committee for adopting the Appeals Modernization Act. The Board implemented the AMA in February 2019, and the implementation appears to have been very successful.

Although the AMA has been a game-changer, there is still much to be done. The PACT Act will increase the number of claims appealed to the Board. If confirmed, I will promptly integrated the 22 just-announced veteran law judges to ensure a dramatic increase in the number of claims heard and decided.

In sum, I am a dedicated public servant who has worn the uniform for almost 35 years, committed to our key heroes, those who have volunteered, signed up, and pledged to offer our lives anywhere and at any time to defend the rest of us and the Constitution. We have a sacred duty to care for each veteran, particularly those who have been wounded or paid the ultimate sacrifice. I hope to have the distinct honor to serve them as the next Chair of the Board of Veterans' Appeals.

Thank you, Chairman Tester, Senator Moran, and members of the Committee.

[The prepared statement of Mr. Areizaga-Soto appears on page 51 of the Appendix.]

Chairman TESTER. Thank you both for your opening statements. I will yield to Senator Murray.

SENATOR PATTY MURRAY

Senator MURRAY. Thank you very much, Mr. Chairman, and welcome to both of you. Thank you for your willingness to serve.

Ms. Chaturvedi, I want to start with you, and I really do appreciate your being with us today. As General Counsel, you would play a very critical role in decisions that impact veterans in my home

State of Washington and across the Nation. For example, a 2014 legal opinion would have drastically narrowed which veterans were eligible for homeless assistance programs. If not for congressional action, providers who receive funding through VA's Grant and Per Diem Program would have had to actually turn away veterans who did not meet the length of service or discharge requirements.

The General Counsel also works with other VA offices on contracts. Most recently, we have been watching the fallout of VA's decision under the previous administration to award a sole source contract for the Electronic Health Care Record Modernization Program, and that decision to award that contract and VA's delays in decision-making have led to documented cases of harm for veterans in my home State.

So I wanted to ask you today, if you are confirmed, how will you use your role to make sure outcomes for veterans are prioritized in VA's decision-making?

Ms. CHATURVEDI. Thank you, Senator Murray. I appreciate the question. You are absolutely right, of course, that the Office of General Counsel has a responsibility to ensure that the care, service, and benefits that our veterans are owed, that they are received timely and that they are received in a safe and comprehensive manner.

I believe it is the responsibility of the Department of Veterans Affairs and the lawyers that work within that Department to ensure that the intent of the legislation that this body passes is met by the actions of the Department of Veterans Affairs. If confirmed, I would work diligently with my colleagues there to make sure that the intent is met, the outcome for the veterans is that which we would all want, which is to ensure safe, complete access to care and benefits and services.

Senator MURRAY. And how will you work with Congress to make any necessary statutory changes to VA practices?

Ms. CHATURVEDI. Thank you, Senator. As Senator Feinstein mentioned, I, many years ago, worked here in this very building. I understand the role that Congress has, that this body has, in making sure that the legislation is applied in the way that legislators intend. I have met with a number of staff members over the last week, and I have committed that if confirmed I would work collaboratively to make sure that the work that you all do is met with the results that you expect, which is to serve our veterans.

Senator MURRAY. And in the previous administration, VA's Office of Accountability and Whistleblower Protection was criticized for its failure to properly implement the law and its failure to properly protect whistleblowers from retaliation or hold senior executive officers accountable. And while that office, I know, is separate from the Office of the General Counsel, the two really need to work together to make sure employees can report wrongdoing without retaliation in order to better serve our veterans. How will you work with OAWP to make sure VA is properly handling complaints?

Ms. CHATURVEDI. Thank you, Senator, for that question. You know that the topic of whistleblowers and how they are treated is something that I have worked on for many years. It is something that came up in my last role, day to day, people that report concerns.

If I were confirmed, I would work very closely with the Office of the Whistleblower. Folks that raise concerns need to be treated with respect, the concerns that they raise need to be investigated efficiently, and there must be accountability for any outcomes. You can be rest assured if there is corrective actions that come out of any of those investigations I would work diligently to make sure those corrective actions occurred.

And, communication about any outcomes is important so that the veteran population and folks that work at the VA see that there is a positive outcome of any report that any whistleblower makes. I think that is very important in maintaining a strong and ethical culture, and I would work toward that effort.

Senator MURRAY. Well, thank you for that.

Mr. Areizaga, the Board of Veterans' Appeals is going to face a growing workload with the *Beaudette* decision for family caregivers and the PACT Act, as you mentioned in your opening remarks. If confirmed, how are you going to approach the anticipated increased workload while ensuring that legacy claims are also addressed?

Mr. AREIZAGA-SOTO. Thank you for the question, Senator Murray. I would say that the key aspect to get ready for that spike in appeals would be to integrate quickly and fully the 22 newly appointed veteran law judges. That will be the first thing.

I believe that the draft resolution plan of the Board for legacy claims is being successful. And during my initial time, just like I do in my military positions when I take command of a new command, I will analyze the situation and look for ways to further improve efficiencies because you are correct, Madam Senator—the spike in cases coming in. The Board has been very successful in increasing the number, but the line still grows because of the new claims and appeals to the Board.

Senator MURRAY. Okay. Thank you very much.

Thank you, Mr. Chairman.

Chairman TESTER. Senator Moran.

Senator MORAN. Thank you both for your presence here today, for your willingness to serve. It is pleasing to hear a bit of your life stories. It is a reminder that the American Dream is alive and well, and that is encouraging. It is a reminder that there are those who sacrifice for that American life, for that American way of life. And, I am grateful for your willingness to serve those who have protected our freedoms and liberties, including members of your family and yourselves.

Let me start with you, Ms. Chaturvedi, a couple of process things. The Office of Legal Counsel at the Department of Justice issued an opinion letter in 2017 stating that oversight requests from, quote, individual Members of Congress, including ranking Minority members, do not trigger any obligation to accommodate congressional needs. I, of course, find that offensive, and I would ask that you—despite that DOJ opinion matter, will you commit to accommodating congressional oversight requests regardless of party affiliation or committee status of the members making those requests?

Ms. CHATURVEDI. Mr. Moran, I would be happy to.

Senator MORAN. Thank you. And the Committee frequently requests data, material, policy views from the Department to inform

our oversight and our legislative work. Responses to these inquiries frequently get cleared through the VA's Office of General Counsel, and unfortunately, the process often involves significant delays and lack of timely response. If you are confirmed, how would you prioritize responses to this Committee to make certain we have the information needed to serve veterans in a timely manner?

Ms. CHATURVEDI. Thank you, Senator, for that question. I appreciate the need for the information that this body requests of VA. If confirmed, I would work to ensure that responses were timely.

I think there is a number of ways to address the issue. Obviously, the good men and women that work in the Office of General Counsel are there to provide legal advice to ensure accuracy and that information is complete. Doing that timely is part of the calculation. And if confirmed as General Counsel of the Department of Veterans Affairs, I would work to drive efficiency in responding.

And to the extent there were issues or questions, I do believe communication is very helpful. Picking up the phone and calling an office to understand perhaps something that may be unclear is something that I expect I would be doing or my colleagues would be doing so that we can get answers back to you because, among other things, sir, I respect the fact that all of you represent veterans' interests and you are asking us questions so that you can better serve your constituents. So I would work to help in that regard.

Senator MORAN. I appreciate both of those answers, and I would say that so often the legislation and the attempts to change something going on at the Department of Veterans Affairs, at least in my world and I would guess most of my colleagues', originate from a veteran concern, complaint, a conversation, an e-mail, a telephone call, "we need your help." And so what I know mostly about veterans is what they are asking me to do on their behalf, and I want to make sure that I am able to respond timely.

And as we work through the development of legislation for consideration by the Senate, we need information through our Department of Veterans Affairs, and it does not come often enough, timely enough. So thank you very much for that answer.

Congress prohibited the Department from performing abortion services when it passed the Veterans Health Care Act of 1992. VA acknowledged this legal prohibition in its public website as recently as 2021. I would like to remind you of that law, and I indicated in my opening statement the importance of the Department following the law. How do you see your role in this issue?

Ms. CHATURVEDI. Thank you, sir, for that question. As you know, the Department of Veterans Affairs serves women veterans, and of those—I am told that there are approximately 15 percent of the veteran population is made up of women, and in that population I also understand that there are approximately 300,000 women of childbearing years. Their health, their well being and safety is at the core of what the Department is responsible for, so I know that this is a very important issue. I have not yet had the chance to fully study the law that you have referenced although, of course, I am aware of it.

If confirmed, I would work alongside my expert colleagues in the law department. I would certainly be speaking with the Secretary

and study this issue very closely. If confirmed, I would be pleased to discuss the matter further with you, but rest assured I will study hard this issue and I appreciate its importance.

Senator MORAN. I assume—I am going to assume for you that you would answer that question as “I will follow the law” because you have taken oath to do so.

Ms. CHATURVEDI. Absolutely, sir. Rule of law is paramount.

Senator MORAN. Yes, ma’am.

Thank you, Mr. Chairman.

Chairman TESTER. Thank you, Senator Moran.

This is a question for both of you because you both have impressive educational and employment experience. You appear to be more qualified for your roles, more than qualified for your roles, for which you have been nominated. However—and you have touched on this, but I want to flesh that a little more—I do not think you have worked extensively in veterans law. I think that is a fair statement.

So the question is for both of you. Do you need to anticipate needing to get up to speed on veterans law, and if so, how will you do that?

Ms. CHATURVEDI. Thank you, Chairman Tester. You are right. I have not worked on veterans issues primarily during my career, but I have worked in areas that are very relevant to the work that the VA does, whether it is employment law, contracts law, procurement law. All of those topics are critical to the success of the Department’s operations.

I also will show up with humility at the Department. I intend to learn from the men and women who work in the Office of General Counsel as I have done over the last 30 years when I faced a new area for me to learn. I have brought in experts. I have studied. I have asked questions. I have dug in. That would not change. I would take the same steps here so that I would hit the ground running if confirmed to serve as the next General Counsel.

Chairman TESTER. Okay. Mr. Areizaga?

Mr. AREIZAGA-SOTO. Senator, thank you for your question. As part of my career and experience, I have worked in areas related to veterans law, particularly service-connected and other issues that we have seen within my uniform side. I would not call myself an expert in veterans law in any way, but as part of getting prepared for this hearing I have had a number of briefings from the team at the Board.

I will listen. I will learn. Particularly even though the Chairman does not hear cases, I do believe that one of the ways that we can be more efficient is by identifying areas in which we are seeing a trend of cases that have to be reversed because of a pattern, and I would want to understand and identify that legal issue so that I can communicate across the leadership at the Department to ensure that it is not the Board that fixes the issue but that the issue is solved at the initial claim level, Mr. Senator.

Chairman TESTER. Okay. Thank you.

Ms. Chaturvedi, the Secretary relies on his General Counsel to opine on the scope of newly passed laws. As I said in my opening statement, the Senate is poised to pass the most comprehensive toxic exposure legislation in this Nation’s history. Do you under-

stand Congress's intent for that bill is to help veterans suffering from toxic exposure and to provide health care and benefits to as many as quickly as possible?

Ms. CHATURVEDI. Senator, yes. I also have been waiting for the passage of the PACT Act, and I appreciate the commitment to helping veterans who have suffered.

Chairman TESTER. Okay. Talk to me about what you can do to help the Department aggressively move on the PACT Act once it does become law?

Ms. CHATURVEDI. Thank you, Senator. I imagine that the VA is already thinking about how to make sure that the benefits and services that will be provided to veterans through the PACT Act, how we will get them to the veterans. But, if confirmed, I believe my role would be to ensure efficient, effective rulemaking so that our veterans can receive the benefits—the benefits of eligibility, of increased process, make sure that rulemaking process goes smoothly. I think that would be the first step.

Chairman TESTER. Okay. Mr. Areizaga, the Board of Veterans' Appeals is aggressively focused on reducing legacy appeals, but now we are seeing a rising caseload of AMA appeals. If confirmed, what will you do to ensure the Board properly balances resources to wind down legacy appeals while resolving newer AMA appeals?

Mr. AREIZAGA-SOTO. Senator Tester, you are touching on a critical point because with the approval of the AMA we now have at the Board two systems. I am—I believe that the legacy resolution plan of the Board, it is working very efficiently. The Board got to have a backlog of 450,000 legacy claims, and it is down to around 100,000. So I believe that those legacy claims can be cleared in the next couple of years.

When the AMA was approved, 100 percent of the appeals were legacy appeals. By now, that is shifting to 75 percent legacy appeals, 25 percent AMA appeals, and I believe that as we move forward, Senator, that would be balanced in accordance with the statutory requirements on how to hear cases and the order to hear the cases.

Chairman TESTER. Okay. Thank you. Thank you both.
Senator Tuberville.

SENATOR TOMMY TUBERVILLE

Senator TUBERVILLE. Thank you, Mr. Chairman.

I would like to thank both of the nominees being here. I have gone through dozens of nominees my first couple of years, and I have never seen two more passionate about their job of the future, and love of our country, so I want to thank both of you for that. It is so important.

And so, you know, on behalf of 400,000 veterans in my State of Alabama, a lot will be watching this hearing today and listen to what you say because they are very interested, obviously, in the appeals process and things that go along with General Counsel. So thank you to you and your families for doing this and the 19 million veterans across the country. What an important job this is.

So, Mr. Areizaga, now your name is about as bad as Tuberville to say, you know, at the end of the day. So talk about your current position in the military. You are in the National Guard. How has

your role in the National Guard going to help you in this position that you hope to get confirmed for?

Mr. AREIZAGA-SOTO. Senator Tuberville, thank you for your question. I am passionate about service. I joined the ROTC Army program as soon as I turned pretty much 18, and I have been wearing the uniform of the Army for the last almost 35 years. I have served as a judge advocate general in the National Guard, working with the 54 National Guards. I would say that managing large leader organizations like Army National Guard Trial Defense Service or now as the principal Deputy General Counsel at the National Guard Bureau have given me the managerial experience to, and the leadership experience to, go into the Board and lead what is now an almost 1,200 employees-strong organization.

Senator TUBERVILLE. Thank you.

Ms. Chaturvedi, is that correct?

Ms. CHATURVEDI. Chaturvedi.

Senator TUBERVILLE. Chaturvedi. Thank you. Your career spans many years of experience in criminal law. Members of this Committee are concerned about findings in recent Inspector General reports that sometimes describe instances of criminal negligence. The reports detail extensive patient safety issues at VA Medical Centers, instances of VA staff withholding information from the Office of the Inspector General, and a complete lack of due diligence when following up on Inspector General recommendations to improve patient safety, manage efficiencies, and prioritize the health and safety of our veterans. While all these actions are not necessarily criminal in nature, what do you see the General Counsel's role in rightsizing these issues that we have already gone through?

Ms. CHATURVEDI. Yes, thank you, Senator Tuberville. You are right; 19 million veterans deserve, you know, that their Agency is devoid of any misconduct. So that, to me, means having a strong culture, a strong culture of ethics that starts at the top. But as I learned when I worked most recently at Northrop Grumman, it is the tone at the top, it is the mood in the middle, and it is the buzz at the bottom. In other words, culture has to be part of the entire organization. So in cases where someone does not abide by patient safety, does not work in service of the veteran, there must be accountability.

If confirmed as the General Counsel of the Department of Veterans Affairs, I would work with the Office of Inspector General. As I mentioned to Senator Murray, I would work with the Office of the Whistleblower to make sure that there is accountability should there be bad actions by anyone in their work.

Senator TUBERVILLE. What is your—what do you think your role is with the Inspector General? How will you work with the Inspector General in these situations?

Ms. CHATURVEDI. Yes, thank you, Senator. I would work collaboratively with the Inspector General. They have an independent role in ensuring that the actions of the VA are held to the standards, the rules, requirements of the Department. I think the General Counsel can work collaboratively to see lessons learned, to make sure that any corrective actions are implemented properly across the Agency.

Senator TUBERVILLE. Thank you.

Mr. Areizaga, from conversations I have had with veterans, it is my understanding that the Veterans Benefits Administration often requires a second medical opinion regardless of whether the initial medical opinion was given by the VA provider or independent provider. Additionally, the VA often regards requests by the veteran that the second opinion be given by a provider who specializes in the veteran's claimed condition. Both these issues may result in delays in the appeals process. If confirmed, how do you seek to identify opportunities for efficiency in the appeals process?

Mr. AREIZAGA-SOTO. Thank you for your question, Senator Tuberville. Efficiency of resources in the public sector, as I have learned through my life, from my State public servant dad, the conversations at home were always about making things better for our fellow citizens and making sure government works for us.

The way I would do it in this case, I would be at the Board which hears the appeals of those decisions. I would look for, as I indicated before Senator Tester, look for trends that I see in cases that we are reversing from the Board—from the benefits—Veterans Benefits Administration and look for ways to make that more efficient and better because if we are able to ensure that the decisions by the Veterans Benefits Administration is correct to start with then we do not need to reverse it at the Board. As a team player, I would look at those trends and at those processes and engage with the leadership of the other areas of the Department to ensure that we take every action we can to make the process more efficient.

Senator TUBERVILLE. Thank you very much. I think it is important. You know, one thing I learned years ago in my previous profession, what both of you are getting ready to get into with the onslaught of our veterans and more and more people in the VA, organization is the key to winning, and hopefully, you will keep that in mind, what I learned at an early age.

So I thank both of you for being here today, and I think we did a pretty good job on each other's names, last names. You know, I thought it was pretty good.

What did you think, Mr. Chairman?

Chairman TESTER. I thought it was pretty good. I was going to ask you how many times you beat Alabama, but I do not want—
[Laughter.]

Senator TUBERVILLE. Not today.

Chairman TESTER. Not today.

Senator TUBERVILLE. Thank you.

Chairman TESTER. Senator Cassidy.

SENATOR BILL CASSIDY

Senator CASSIDY. Thank you both for your service.

Mr. Areizaga-Soto, I have been trying to learn Spanish, and you speak four languages fluently. Needless to say, I feel kind of in awe and humbled, so anyway, but thank you both for your service.

Ms. Chaturvedi, since 1992—in 1992, Congress made it pretty clear that they did not want, and did not feel it right, for the VA to be offering abortion services. Would you continue this—would you advise continuing this policy?

Ms. CHATURVEDI. Senator Cassidy, thank you for your question. This issue around abortion services, I know, is an important one.

If confirmed as the General Counsel at the Department, one of my jobs would be to evaluate the laws that impact the services that are provided by the Department of Veterans Affairs. I have not studied this issue fully yet. If confirmed, I would work with my colleagues at the Department to better understand, but I can assure you that the advice that I would give would be to follow the rule of law. That would be my job. That has been my job for the last 30 years as a practicing lawyer.

Senator CASSIDY. A very good confirmation hearing answer, I would say that.

Next, I have the advantage of looking at your answers to the question from Senator Moran, and in it he speaks about how in the private sector we are driven by profit margins, we are driven by outcomes, competitiveness, et cetera, but what happens in the VA is that it is not driven by that, but rather, it is driven by compliance. In quoting Shakespeare, the first thing you do is kill all the lawyers, right?

When it comes to getting an organization to work well, efficiently, and something more than punctiliously checking off boxes, those rules have to be interpreted to not just keep in compliance but to drive productivity. I think a complaint to the VA that is valid is a very poor record of productivity, extremely poor. And, I frankly think it is partly Congress's fault by setting up all these kinds of rules and regs and we are going to kind of make sure you do it right, and so now it becomes "don't catch me" as opposed to "how do I move patients."

I am a physician. I am very aware that if you deny service by delay you can miss things, you can hurt people, that passivity can be destructive, so that kind of rant on my part.

What is your perspective on that, and how would you address my concern that the emphasis upon compliance drives just a system which sometimes does not work?

Ms. CHATURVEDI. Senator, I appreciate that question, and I appreciate and hear the frustration. The mission of the Department of Veterans Affairs is perhaps one of the most important missions that we in the Federal Government have, which is to serve the people who have served us. I understand that it is less than 10 percent of Americans who serve in the military. It is an important job, and we must make sure that they get the benefits, service, and care that they have earned. And I would agree with you that benefits or services that are delayed, in fact, can be denied.

Senator CASSIDY. But to the point, if an attorney says you got to check 16 boxes because that is the only way I know I will never be criticized, that 16 boxes as opposed to 2 boxes is going to delay service. Now the attorney does not get in trouble, but the patient does not get their service.

So I am kind of trying to cut through what you are saying, not to be rude, and how—if we are not driven by any external measure of productivity or having to make a profit because Congress is always going to backfill, how do we avoid the legal system from bogging us down from productivity?

Ms. CHATURVEDI. Senator, I think measurements can still be used and are used and should be used to determine productivity. Sixteen boxes is unacceptable. You are absolutely right. You have

to cut through the red tape to make sure that the outcome is in service of veterans, that the care and service that they have earned is provided timely. If confirmed, that would be one of my highest priorities, to work efficiently and effectively, to drive results in service of our veterans.

Senator CASSIDY. Okay. Thank you. I yield.

Chairman TESTER. I just want to add to that a little bit, and that is that you are in Washington, DC, and the people that you are going to be telling they do not have to check the 16 boxes are on the ground in places all over the country. So you are really going to have to work at driving down your opinions. Thank you for that.

Ms. CHATURVEDI. Yes, sir.

Chairman TESTER. Senator Blumenthal.

SENATOR RICHARD BLUMENTHAL

Senator BLUMENTHAL. Thank you, Senator Tester. Thank you both for your service, extraordinarily impressive service, to our Nation.

Let me ask you, how do we protect whistleblowers?

Ms. CHATURVEDI. Good afternoon, Senator Blumenthal. It is a pleasure to see you.

Protecting whistleblowers is something that I have done for many, many years. I have worked in large corporate settings where people raise their hand to raise concerns. And my message has always been loud and clear, that whistleblowers, who actually I call reporters, people that bring to the attention of an organization concerns that they have, those individuals must be treated with respect, their concerns need to be addressed timely, and there needs to be accountability for any actions that come out of an investigation or a review. I have practiced that way myself as a lawyer. I have led teams within the United States and globally with that sentiment in mind. I would carry that if confirmed to serve as the General Counsel at the Department of Veterans Affairs.

Senator BLUMENTHAL. Do you think that protecting whistleblowers in the VA, particularly when it comes to issues relating to health care, where in fact historically they have played an important part, is a challenge that you would address proactively?

Ms. CHATURVEDI. Yes, sir. I think setting a strong culture to make sure that people know that concerns need to be raised, that they will not be—people will not be retaliated, it will not be accepted. I am prepared to send that message, to share that message and particularly here, as you say. Particularly where it comes to the safety, health, and welfare of our veterans, those concerns need to be addressed quickly, ethically, and responsibly.

Senator BLUMENTHAL. Thank you. Well, I look forward to following up with you on that issue and others.

General Areizaga-Soto, I wonder if you could talk a little bit about how your past service has prepared you to head an organization that right now really requires strong management expertise and insight and activism, maybe talk a little bit about how your experience, very impressive experience in the Army and elsewhere such as at the Treasury Department, has helped you address these challenges.

Mr. AREIZAGA-SOTO. Thank you for your question, Senator Blumenthal. I am deeply honored to serve honorably as an Army judge advocate. I have done so. I have been in the military for almost 35 years. Over the last few years, I have been able to lead large organizations in the Army, leading across time zones, leading across the 54 National Guards.

And I have been able to lead not only in uniform. I have also been able to lead large teams in private practice, doing infrastructure projects globally, and also in the public sector, civilian side, as a White House Fellow at Treasury and at USAID.

What I would say that experience has given me is getting to “yes” and cutting through the bureaucracy. As I indicated in my opening statement, Senator, I am about “Mission First, People Always.” I will take care of my team when we got a job to do.

And the veterans have an expectation and have earned a right, and we got to deliver for them. And I am hearing from this Committee that we got to do so and we got to do so correctly and we got to do so promptly. We just heard from the physician Senator indicating, you know, as I think President Lincoln said, no, delayed benefit is no benefit.

So in this case, what I would do, Senator Blumenthal, is bring that experience, what I call the efficiencies of the private sector, the commitment of the Armed Forces, and the care and compassion of the public sector to help deliver an experience for veterans where they feel respected, honored, and are treated fairly.

Senator BLUMENTHAL. I am curious, and I apologize that I do not see it in my notes or in your statement. You may have told us, but were you born in Puerto Rico?

Mr. AREIZAGA-SOTO. Yes, Senator, I was born in the Commonwealth of Puerto Rico.

Senator BLUMENTHAL. Great. Well, I think, you know, both of your histories demonstrate to me the truth of some of the points I have been making about the importance of immigration. As a child of immigrants and the tremendous contribution made by our fellow citizens in Puerto Rico, your personal story about your family, your dad, and so forth is very inspiring.

So I congratulate you both and your families, and thank your families as well as you, for your service. It is—both of you have inspiring family stories that I think are especially appropriate for the VA. Thank you.

Ms. CHATURVEDI. Thank you, sir.

Senator BLUMENTHAL. Thanks, Mr. Chairman.

Chairman TESTER. Senator Tuberville has another question, and I cannot wait.

Senator TUBERVILLE. Yes, one more question, Mr. Areizaga. You and I talked Monday about the PACT Act, and we talked very briefly in here. We have got administrators that are going to be watching this hearing across the country. We are getting ready to really have an onslaught of probably appeals coming from this PACT Act. So I think it would be good for you to kind of discuss how you are going to set this up with your appeals judges and your staff to get ready for this, if confirmed. Could you just kind of go through it?

You had some very good thoughts about how we have already knocked down the amount and how we can continue to do that. And then, of course, we are going to have a couple million coming down the chute here pretty quick, so kind of give us a rundown for the people listening and watching this hearing of how you are going to handle the urgency of what is getting ready to happen through the PACT Act.

Mr. AREIZAGA-SOTO. Thank you for your question, Senator. I first want to commend the team at the Board for the great work that they have done since the adoption of the AMA. The Board is at an all-time high of cases heard and decided, but without a doubt much more needs to be done.

As indicated in there, we have the good news that 22 newly appointed veterans law judges are coming online, and the first thing we need to do is because we still have a backlog is to get that—those teammates up and running as fast as possible and well-trained, well-staffed because every case is unique, Senator, and it is only a veterans law judge that hears and decides an appeal.

So we need to make sure that those veterans law judges are as productive as they can be so that we can, one, eliminate the legacy backlog and then, two, look for all means and all ways possible. That includes technology, leveraging the team, and all aspects working with the Veterans Benefits Administration for things that we see need to be fixed at the first level and then at the appellate level, at the Board level.

It also means working with the Court of Veterans Appeals because sometimes those cases go up to the Court. Some areas are affirmed, and some areas are remanded. And then that means the person needs to get back in line, so we end up with a conveyor belt of claims.

So we would need to look like I have done in the military, Senator, is look at the systems, identify what works well, identify what needs to be fixed, and that is my commitment to you and to our veterans, to look at all ways, every means possible to improve efficiencies. And if there needs to be more things, I would be willing, ready, and able to engage with all stakeholders to obtain more resources or legal changes to achieve the highest efficiency possible, Senator.

Chairman TESTER. Senator Tuberville, Ms. Chaturvedi's son is a defensive end and wrestler, back there. Don't you think it is about time we get him out in the hayfields picking some hay bales? What do you think, Coach? Yes?

Senator TUBERVILLE. I am all in.

Chairman TESTER. All in, all right. Well, I want to thank our nominees and committee members for their thoughtful dialogue today. I ask that any post-hearing questions be sent to the clerk no later than 5 p.m. tomorrow, and I would ask that you guys answer them as soon as possible.

This hearing is adjourned.

[Whereupon, at 3:18 p.m., the Committee was adjourned.]

A P P E N D I X

**Nomination Material for
ANJALI CHATURVEDI**

**Statement of Anjali Chaturvedi
Nominee for General Counsel
U.S. Department of Veterans Affairs**

**Senate Veterans Affairs Committee
Hearing to Consider Pending Nominations
July 27, 2022**

Chairman Tester, Ranking Member Moran, distinguished members of the Committee, I am honored to appear before you today as the nominee to be the next General Counsel for the Department of Veterans Affairs. I am grateful to the President for his confidence in nominating me to this position.

I want to thank Senator Feinstein for that very kind introduction. It was almost 20 years ago that I served on Senator Feinstein's Judiciary Committee staff as counsel. I learned so much about the workings of the US Senate, including the extraordinary work of the staff. I also learned by watching Senator Feinstein what it means to be a servant leader.

I also want to extend my congratulations to Jaime Areizaga-Soto for his nomination as Chair of the Board of Veterans Appeals.

I would like to introduce my family: my husband Terrence Clark, who served in law enforcement for 27 years; my sister Anupama Chaturvedi Connor; my uncle Vinay Chaturvedi; and my mother-in-law Virginia Storjohann, and her husband Neil Scarlett. But the most important person here for me today is my 12-year-old son Kiran Chaturvedi Clark, a rising 7th grader, who we brought back from sleep away camp in West Virginia to attend today's hearing.

When I married Terry, I became part of a military family. Our nephew enlisted in the Army and served in the infantry in Afghanistan, and his wife, a West Point graduate, was a Blackhawk test pilot and also deployed to Afghanistan. My late father-in-law, Terry's stepfather, served in the Korean War. Neil Scarlett served in the Air National Guard and Air Force. Terry's father, William Clark, served in the Army National Guard. And my mother-in-law worked for VA hospitals in Iowa City and Denver. I am so grateful for what our Veterans, including my family, have done for all of us in serving our country and believe that it is our sacred duty to serve them, their families, their caregivers, and their survivors.

I am a child of immigrants and first-generation American. My parents, Ram and Saroj Chaturvedi, came to the United States in 1964, thinking they would stay for a year as my father finished his education. But they saw the promise this country offered, what they could contribute, and they built a life here. They became part of the fabric of their small rural community in Upstate New York where my father was a physics professor in a public college for 41 years, my mother completed her second master's degree, and they raised my brother Rakesh, sister, and me. I am so sorry that they have passed away and are not here today, but I know that I would not be in front of you without them as my guiding light. It was my parents who instilled in me the values of hard work and service — service to family, to community, and to country. They were thrilled that when I became a lawyer, I represented the United States as an Assistant United States Attorney which I did for twelve years, first in the District of Columbia and later in the Northern District of California.

I left the Department of Justice (DOJ) to gain diversity of experience in other areas of the law, including private practice and in global corporate settings where I worked for sixteen years in highly regulated, complex and large organizations. Over the years, I have led many high-performing and empathetic teams.

I returned to DOJ earlier this year to serve as a Deputy Assistant Attorney General in the Criminal Division because in the same way my parents instilled in me the importance of service, I wanted to show my son through my example what it means to be a public servant.

Now, I have been called to serve at VA. I believe in the mission of VA. The core responsibility of VA is providing our Veterans with the health care and benefits they have earned and to make sure that at their passing, they are afforded the honor they deserve. And in meeting these responsibilities, VA must ensure that our Veterans, their families, their caregivers, and their survivors are treated with integrity, compassion, and respect. Veterans make up less than 10% of our population, yet their service to our country overwhelmingly benefits us all. I had the good fortune of working with Veterans when I was a prosecutor — JAG lawyers and law enforcement officers who previously served in the military. I also worked alongside Veterans in private practice, most recently at Northrop Grumman, where approximately 14% of the work force are Veterans. I did pro bono work on behalf of Veterans, including volunteering time to mentor a returning Veteran.

The opportunity to serve the people who have served us — who have defended our freedoms — is an honor that I do not take lightly. The work of VA, including the Office of General Counsel, must be excellent. It must be Veteran focused. It must drive efficient and ethical results, all in service to the safety and wellbeing of our Veterans. I promise you, if confirmed, I will remain faithful to these commitments every day as the General Counsel of the Department of Veterans Affairs.

I thank you for allowing me the chance to appear today and I look forward to answering your questions.

Pre-Hearing Questions for the Record
 Nomination Hearing of Anjali Chaturvedi to be
 General Counsel of the Department of Veterans Affairs
 From Chairman Jon Tester

1. **Have you and Secretary McDonough discussed the role he would like you to assume as General Counsel if confirmed?**

Yes. Secretary McDonough asked me to help him and the VA community increase access and improve outcomes for our Veterans. He would like for me to serve as his legal advisor and to ensure that the Office of General Counsel continues to provide strategic, ethical advice to VA in service of our Veterans. If confirmed, I would be honored to uphold what the President and Secretary McDonough have referred to as our most sacred obligation – caring for Veterans and their families.

2. **What role do you believe the General Counsel plays in evaluating legislation, both introduced in Congress and proposed by VA, for legal sufficiency and impact? Under your leadership, what would the Office of General Counsel's (OGC) role be in preparation of testimony for Congressional hearings?**

As the Department's chief legal officer, I would, if confirmed, have the responsibility to review and understand legislation that impacts the VA for legal sufficiency and impact and to communicate those legal principles to relevant individuals within the agency. Under my leadership, the OGC would work with VA's Office of Congressional Affairs to ensure that anyone testifying is prepared to testify fully, accurately, and ethically before Congress. I anticipate that would also include reviewing testimony and ensuring VA is fully transparent with Congress, which improves trust in VA and benefits Veterans.

3. **What do you see as the biggest challenges facing the OGC at this time?**

I believe that the work of the Office of General Counsel must be excellent. It must be Veteran focused. It must drive efficient and ethical results, all in service to our Veterans. Prior to being confirmed, it would be difficult to fully prioritize the key challenges facing OGC. However, based on my current perspective, I believe that I would focus on:

- Leading OGC to help advance the Secretary's priorities, including: working to ensure that Veterans are getting the level of care and benefits to which they are entitled in an efficient and compassionate way;
- Building and improving systems within OGC that improve responsiveness and quality of support to VA programs, offices, and services to Veterans, their caregivers, families and survivors; and
- Ensuring that OGC is helping to prepare VA for the implementation of major VA related legislation, such as the PACT Act

4. **Are you more of a "hands-on" manager or do you tend to rely on significant delegation? Do you seek to achieve consensus with those on your management team before making a decision or do you generally gather relevant information and input, and then make a decision?**

I am a manager who seeks to empower her direct reports and team so that they are able to operate at their highest potential. Sometimes that requires a more hands-on style. Sometimes it means being clear in the purpose of the work at the outset and supporting the team in executing the work that needs to be done. And while consensus can be a helpful way to make a decision, I believe it is more important to ensure that diverse voices are heard before any decision is made so that we get to the best answer for whatever problem we are looking to solve.

5. **Describe how you anticipate managing the work of Regional Counsels.**

I would start by learning about the Counsel, their areas of responsibility, expertise, challenges, and motivations. As I have done in the past with a geographically diverse team, I would ensure that good communication exists between the Counsel and me so that we can develop a strong working relationship which would include setting priorities and targets that align with the Secretary's vision, and discussing such topics as professional development and growth. I would also rely on my direct reports to help guide me as I get to know the lawyers and staff in OGC.

6. **If confirmed, how do you envision collaborating with the Board of Veterans' Appeals?**

If confirmed, I expect that I would work closely with the Chairperson and Board of Veterans Appeals to stay abreast of appeal decisions, both substantive outcomes and the time required to resolve matters.

7. **What role do you believe the OGC should play in ensuring VA understands and complies with decisions of the Court of Appeals for Veterans Claims and other courts?**

OGC should provide clear, quick, updates to stakeholders about any decision that the Court of Appeals for Veterans Claims or other courts make that impact how VA operates to ensure compliance with the law.

8. **Do you agree to supply the Committee with such information, materials, and documents as may be requested by the Committee in its oversight and legislative capacities for so long as you serve in the position of General Counsel?**

Yes, I agree.

9. **How do you envision the OGC working with the Special Counsel, the Inspector General and the Office of Accountability and Whistleblower Protection?**

I will work collaboratively with the Special Counsel, the Inspector General, and Office of Accountability and Whistleblower Protection to understand the nature of any concerns that are brought to their attention or that they uncover during the course of any investigation. Anytime a concern or allegation is raised related to VA, it must be evaluated with an open mind to determine whether there is an opportunity or obligation to improve the workplace. Our veterans depend on us to always do the right thing and these offices are places where individuals can raise concerns that OGC and VA will take seriously.

10. **Do you agree that VA employees have an absolute right to petition or communicate with members of Congress and congressional staff about matters related to VA matters and that right may not be interfered with or denied?**

I agree so long as such communication does not violate any principle of law.

11. **Describe:**

- a. the general character of your practice of law and indicate by date when its character has changed over the years.

As a practicing lawyer for almost 30 years, I have represented the United States, as well as individuals and companies. I represented the United States as a federal prosecutor (Assistant United States Attorney (AUSA)) from 1994-2006 and again from February 2022 until present (Deputy Assistant Attorney General). During my earlier term as an AUSA, I was a trial and supervisory lawyer who primarily worked on serious violent crime cases. In February 2022, I

returned to the Department of Justice as a senior leader in the Criminal Division where I supervise several trial units and provide support to the Assistant Attorney General. In between my two terms at the Department of Justice, I worked as a partner in a private law firm from 2007-2011 where I represented companies and individuals in connection with government investigations. From 2011-2022, I worked as a senior lawyer in two public international companies in highly regulated industries, where I worked on investigations, litigation, and compliance issues.

- b. your typical clients and the areas at each period of your legal career, if any, in which you have specialized.

Following my judicial clerkship, for the first twelve years of my legal career, my client was the United States. I recently returned to the Department of Justice in order to represent the United States once again. In the years in between (2006-2022), I first represented individuals and companies in government investigations and compliance reviews as a law firm lawyer and for the past ten years have worked in-house at two public international companies (BP and Northrop Grumman) where I worked on investigations, litigation, and compliance matters.

- c. your practice, if any, before the U.S. Merit Systems Protection Board, federal district courts, and the U.S. Court of Appeals for the Federal Circuit.

As an AUSA, I appeared many times on behalf of the United States in federal district courts, primarily in Washington, DC but also in the Northern District of California. In private practice, I appeared in federal district court in Massachusetts.

12. Describe the most significant legal activities you have pursued, including significant litigation or legal matters that did not involve litigation. Describe the full nature of your participation in these activities.

- As an AUSA in Washington DC
 - I tried a 9-month long racketeering jury trial in the U.S. District Court of the District of Columbia. (U.S. v. Sam Carson, et. al.)
 - I tried a 4-month long murder conspiracy case in the Superior Court for the District of Columbia. (U.S. v. Timothy Hairston, et. al.)
 - In total I tried over two dozen jury trials and over 75 bench trial in the Superior Court of the District of Columbia.
- As a supervisory AUSA in the Northern District of California (Chief of the Organized Crime Strike Force)
 - I pursued a novel appeal involving the protection of witness identities in a gang conspiracy case. (U.S. v. Emile Fort).
- In private practice, I defended the CEO of a public company in a trial against the SEC for accounting fraud (SEC v. Goldsworthy).
- At BP, I was the lead in-house lawyer representing BP in connection with the criminal and SEC investigations related to the 2010 Deepwater Horizon incident.
- As a pro bono lawyer, I engaged in the following representations:
 - While at Nixon Peabody LLP, I served as a Guardian Ad Litem in approximately 2008-2009 in D.C. Superior Court for a minor child in connection with a contested custody dispute between her parents.
 - While at Northrop Grumman, I worked with colleagues at Northrop Grumman and Covington & Burling as part of the Equal Justice Works Fellowship to pursue a class action certification on behalf of veterans who were seeking mandamus relief regarding the delay in certifying their benefits appeals. (Godsey et. al. v. Wilkie)

**Pre-hearing Questions for Anjali Chaturvedi
Nominee to be General Counsel
Department of Veterans Affairs
From Senator Jerry Moran**

- 1. The General Counsel is responsible for the work of hundreds of VA attorneys and hundreds more support staff across five regional offices. What qualifications prepare you for leading and managing this workforce?**

I have led a number of high-performing global teams during my almost 30 years as a practicing lawyer. I have developed a leadership style that is inclusive, empathetic, ethical, and decisive. This allows those who work with me to have clear direction about objectives and the support needed to meet the goals set within the organization.

- 2. You have a background in government, non-government, and federal contractor employment and have been working in the private sector since 2006. Why did you choose to return to public service this year? What interests you in this role?**

I wanted to return to public service because it is at the core of what matters most to me, which is service to others. This role interests me because I can think of no higher calling than serving those who have served our country. And finally, returning to public service lets me show my twelve-year-old son by my example why public service is rewarding and important.

- 3. VA components do not have the same financial incentives or liability risks that drive decision-making in the private sector. Rather VA is faced with the challenge of how or whether it will comply with rules, regulations, statutes, and court orders. How will you lead VA in rising to that challenge across all Department components?**

I believe that the role of the Office of General Counsel is to ensure that all components understand and abide by the rules, regulations, statutes and court orders that impact VA so that VA can meet its sacred obligation to serve our Veterans. I will lead VA in rising to the challenges this work brings by ensuring that I and OGC lead by example, with Veterans at the forefront of our minds and hearts.

- 4. If confirmed, how will you work with officials across the Department to minimize the risk of litigation against the Department? Describe the types of preventive law activities you plan to implement.**

I will work collaboratively with officials across the Department to consider ways to minimize the risk of litigation against the Department. If confirmed, I will take steps to learn where areas of risk exist and consider ways to mitigate those risks early in the process.

**Pre-hearing Questions for Anjali Chaturvedi
Nominee to be General Counsel
Department of Veterans Affairs
From Senator Jerry Moran**

- 5. If confirmed, will you make any structural or operational changes to the Office of General Counsel?**

I cannot say at this time whether I will recommend any structural or operational changes in the Office of General Counsel. I will need to spend time at the Agency to determine what, if any changes, would be beneficial to our Veterans and the organization.

- 6. VA is charged with providing various benefits and services for qualifying veterans and family members. In general terms, please describe the outcomes that VA should be seeking for veterans through these benefits and services.**

We as a nation have a responsibility to care for Veterans and their family members who have committed themselves to serving and protecting us all. That means that we must work to increase access to the highest quality benefits and services, and maximize outcomes in a way that is efficient, ethical, and compassionate.

- 7. How will you work with OAWP, LMR, OSC and the unions when it comes to holding employees accountable and upholding the changes in the law that Congress has passed and has been enacted by both Obama and Trump administrations to properly hold employees accountable, when necessary? What role do you expect the General Counsel to play when it comes to protecting whistleblowers within the Department?**

I agree with Secretary McDonough that accountability and transparency must be the “life-blood” of any large organization like VA. If confirmed, I will work collaboratively with OAWP, LMR, OSC and the unions to ensure that swift and clear action is taken when necessary. I believe the OGC has a critical role in ensuring that anyone who reports a concern within the Department is treated with respect and that concerns are responsibly and timely addressed. I also expect that we will reflect on lessons learned from whistleblower matters so that we can further strengthen the ethical culture at VA.

- 8. What role do you expect the General Counsel to play in the rulemaking process of the Department? If confirmed, how will you ensure that Department rules and regulations are consistent with and do not exceed the Department’s statutory authority?**

If confirmed, I will endeavor to work with colleagues in VA to ensure that the rule making process is enacted promptly and accurately and meets the Department’s statutory obligations. The OGC must provide fulsome legal advice so that the Department’s rules and regulations meet legal requirements.

**Pre-hearing Questions for Anjali Chaturvedi
Nominee to be General Counsel
Department of Veterans Affairs
From Senator Jerry Moran**

- 9. What role do you expect the General Counsel to play in determining when to appeal a decision made by the CAVC or other court? Who ultimately makes the decision to appeal or asks the Justice Department to appeal a decision?**

I expect that the General Counsel plays a decisive role in determining whether to appeal a decision made by the CAVS or other court. The Secretary, or his designee, in close consultation with the OGC, will ultimately make the decision to appeal or ask the Justice Department to appeal a decision.

- 10. How will you work with stakeholders, including Congress, to implement a process that gives veterans the proper due process and oversight, when filing their claims?**

I will work with key stakeholders, including this Committee to ensure that the focus of VA remains Veteran-centered. Additionally, I would work collaboratively to ensure that Veterans view these processes as fair, transparent, and user-friendly. I will do this by listening to the views of all stakeholders and responding to inquiries from Congress or elsewhere when questions or concerns are raised regarding proper claims review.

- 11. The Committee often seeks information and input from the Office of General Counsel.**

- a. If confirmed, will you commit to responding to information requests from this Committee in a timely manner?**

Yes, I will.

- b. OGC provides important expert legal analysis of legislation considered by the Committee. If confirmed, will you commit to continuing this practice in a way that is focused on legal sufficiency and impact, including when your legal analysis does not align with the policy goals of the Department?**

Yes, I will.

- 12. The Department has balked at providing timely information relating to ongoing procurement actions to the Committee. Are there any laws, rules, or regulations that prevent the Department from sharing procurement information with the Committee? If so, what are they?**

I am not yet aware of the intricacies of the VA procurement legal framework that addresses information sharing with this Committee. I assure you that I will endeavor to quickly learn the statutes, regulations, and rules that guide such interaction and will respond accordingly while working collaboratively with this Committee

**Pre-hearing Questions for Anjali Chaturvedi
Nominee to be General Counsel
Department of Veterans Affairs
From Senator Jerry Moran**

- 13. Many of the policy issues this committee has oversight of cross a variety of agencies, including DoD, DoL and SBA. Often, there is a breakdown in the interpretation of the law across all general counsels for these agencies.**
- a. How will you work with these other agencies to have one clear and concise message, whether it be a response to a QFR or a technical assistance request to legislation that is provided to several agencies?**

I will collaborate with my fellow agency partners and work to provide clear messaging for this Committee.

Sen. Cramer
Questions for the Record
Senate Veterans' Affairs Committee
Hearing to Consider Pending Nominations
07/27/22

Questions for Anjali Chaturvedi, Nominee to be General Counsel, Department of Veterans Affairs

1. Ms. Chaturvedi, last year I joined Ranking Member Moran and seven other members of this committee in a letter to Secretary McDonough highlighting the statutory prohibition on abortion services as outlined in the Veterans Health Care Act of 1992. Despite this, the secretary has continued to advance the view that VA's current abortion ban is regulatory and potentially subject to change. As the nominee for the General Counsel position at VA, do you commit to upholding the statutory prohibition on abortion services as outlined in Section 106 of Veterans Health Care Act of 1992?

I commit to following the law. If confirmed, I will study this issue further and would be pleased to discuss the matter with you and your office.

**UNITED STATES SENATE
COMMITTEE ON VETERANS' AFFAIRS**

**ROOM 412 RUSSELL SENATE OFFICE BUILDING
WASHINGTON, D.C. 20510
Telephone: (202) 224-9126**

**QUESTIONNAIRE
FOR PRESIDENTIAL NOMINEES**

The Rules of the U.S. Senate Committee on Veterans' Affairs require that a Presidential nominee whose nomination is referred to the Committee submit, on a form approved by the Committee, a sworn statement concerning his or her background and financial interests, including the financial interests of the nominee's spouse and children living in the nominee's household. The Committee form is in two parts:

- (A) Information concerning the employment, education, and relevant background of the nominee, which is made public; and
- (B) Information concerning the financial and other background of the nominee, which is made public only when the Committee determines that such information bears directly on the nominee's qualifications to hold the position to which the individual is nominated.

Committee action on a nomination, including hearings or a meeting to consider a motion to recommend confirmation, shall not be initiated until at least five days after the nominee submits this form unless the Chairman, with the concurrence of the Ranking Minority Member, waives the waiting period. In order to assist the Committee in its consideration of nominations, the Committee requests that each nominee complete the attached Questionnaire for Presidential Nominees. The notarized original and any supplemental information should be delivered to:

Committee on Veterans' Affairs
United States Senate
Room 412, Russell Senate Office Building
Washington, D.C. 20510

Attention: Chief Clerk

PART I: ALL OF THE INFORMATION IN THIS PART WILL BE MADE PUBLIC

1. Basic Biographical Information

Please provide the following information.

<i>Position to Which You Have Been Nominated</i>	
<u>Name of Position</u>	<u>Date of Nomination</u>
General Counsel	June 22, 2022

<i>Current Legal Name</i>			
<u>First Name</u>	<u>Middle Name</u>	<u>Last Name</u>	<u>Suffix</u>
Anjali		Chaturvedi	

<i>Addresses</i>					
<u>Residential Address</u> (do not include street address)			<u>Office Address</u> (include street address)		
			Street: 950 Pennsylvania Avenue, NW		
City:Chevy Chase	State: MD	Zip:20815	City: Washington	State: DC	Zip: 20530

<i>Other Names Used</i>						
<u>First Name</u>	<u>Middle Name</u>	<u>Last Name</u>	<u>Suffix</u>	Check if Maiden Name	<u>Name Used From</u> (Month/Year) (Check box if estimate)	<u>Name Used To</u> (Month/Year) (Check box if estimate)
					Est <input type="checkbox"/>	Est <input type="checkbox"/>
					Est <input type="checkbox"/>	Est <input type="checkbox"/>

<i>Birth Year and Place</i>	
Year of Birth (Do not include month and day)	Place of Birth
1968	Cortland, NY

<i>Marital Status</i>					
Check All That Describe Your Current Situation:					
Never Married	Married	Separated	Annulled	Divorced	Widowed
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

<i>Spouse's Name</i> (current spouse only)			
<u>Spouse's First Name</u>	<u>Spouse's Middle Name</u>	<u>Spouse's Last Name</u>	<u>Spouse's Suffix</u>
Terrence	Lee	Clark	

<i>Spouse's Other Names Used</i> (current spouse only)						
<u>First Name</u>	<u>Middle Name</u>	<u>Last Name</u>	<u>Suffix</u>	<small>Check if Maiden Name</small>	<u>Name Used From</u> (Month/Year) (Check box if estimate)	<u>Name Used To</u> (Month/Year) (Check box if estimate)
N/A					Est <input type="checkbox"/>	Est <input type="checkbox"/>
					Est <input type="checkbox"/>	Est <input type="checkbox"/>

<i>Children's Names (if over 18)</i>			
First Name	Middle Name	Last Name	Suffix
Kiran	Chaturvedi	Clark	

2. Education

List all post-secondary schools attended.

<u>Name of School</u>	<u>Type of School</u> (vocational/technical/trade school, college/university/military college, correspondence/distance/extension/online school)	<u>Date Began School</u> (month/year) (check box if estimate)	<u>Date Ended School</u> (month/year) (check box if estimate) (check "present" box if still in school)	<u>Degree</u>	<u>Date Awarded</u>
Cornell University	College	8/1986	5/1990	B.S.	May 1990
London School of Economics	Junior Year Abroad	9/1988	5/1989	N/A	N/A
Georgetown University Law Center	Juris Doctor	8/1990	5/1993	J.D.	May 1993
Georgetown University School of Continuing Studies	Continuing Studies	4/2019	10/2019	Certificate program	October 2019

3. Employment

(A) List all of your employment activities, including unemployment and self-employment. If the employment activity was military duty, list separate employment activity periods to show each change of military duty station. Do not list employment before your 18th birthday unless to provide a minimum of two years of employment history.

<u>Type of Employment</u> (Active Military Duty Station, National Guard/Reserve, USPHS Commissioned Corps, Other federal employment, State Government (Non-federal Employment), Self-employment, Unemployment, Federal Contractor, Non-Government Employment (excluding self-employment), Other	<u>Name of Your Employer/Assigned Duty Station</u>	<u>Most Recent Position Title/Rank</u>	<u>Location</u> (City and State only)	<u>Date Employment Began</u> (month/year) (check box if estimate)	<u>Date Employment Ended</u> (month/year) (check box if estimate) (check "present" box if still employed)
Federal Government	US Department of Justice	Deputy Assistant Attorney General	Washington, DC	2/2022	Present
Federal Contractor	Northrop Grumman	Assistant General Counsel	Falls Church, VA	1/2015	2/2022
Non-Government Employment	BP PLC	Assistant General Counsel	Washington, DC	1/2011	1/2015
Non-Government Employment	Nixon Peabody	Partner	Washington, DC	2/2007	1/2011
Federal Government	US Department of Justice, US Attorney's Office NDCA	Chief, Organized Crime Strike Force	San Francisco, CA	1/2005	11/2006
Non-Government Employment	University of California, Hastings College of Law	Adjunct Professor	San Francisco, CA	1/2006	5/2006
Federal Government	US Department of Justice, US Attorney's Office Washington, DC	Assistant United States Attorney & Deputy Chief Felony Trial Unit	Washington, DC	9/1994	12/2004
Federal Government	Detail to Senate Judiciary Committee, Office of Senator Dianne Feinstein	Counsel	Washington, DC	8/2003	10/2004
Non-Government Employment	Georgetown University Law Center	Adjunct Professor	Washington, DC	1996-1998 and 2002-2004	

DC Government Employment	Honorable Gregory E. Mize	Judicial Clerk	Washington, DC	9/1993	9/1994
Non-Government Employment	Siff, Rosen & Parker	Summer Associate	New York, NY	Summer 1992	
Non-Government Employment (Academic Work Study)	US Department of Justice, US Attorney's Office, Washington, DC	Law Clerk	Washington, DC	6/1991	5/1992
Non-Government Employment (Academic Work Study)	Cornell University, Student Employment Office	Office Assistant	Ithaca, NY	Est. 6/1988	Est. 8/1988

(B) List any advisory, consultative, honorary or other part-time service or positions with federal, state, or local governments, not listed elsewhere.

N/A

<u>Name of Government Entity</u>	<u>Name of Position</u>	<u>Date Service Began</u> (month/year) (check box if estimate)	<u>Date Service Ended</u> (month/year) (check box if estimate) (check "present" box if still serving)
		Est <input type="checkbox"/>	Est Present <input type="checkbox"/> <input type="checkbox"/>
		Est <input type="checkbox"/>	Est Present <input type="checkbox"/> <input type="checkbox"/>
		Est <input type="checkbox"/>	Est Present <input type="checkbox"/> <input type="checkbox"/>

4. Honors and Awards

List all scholarships, fellowships, honorary degrees, civilian service citations, military medals, academic or professional honors, honorary society memberships and any other special recognition for outstanding service or achievement.

South Asian Bar Association (DC) Private Sector Trailblazer Award (2021)

Boys & Girls Club of Greater Washington, Fairfax County, Great Big Kid Award (2020)

DCA Live Top Corporate Counsel Award (2019)

Proclamation by San Francisco Mayor Gavin Newsom (2006)

Bill Key Memorial Victim/Witness Assistance Award (2006)

Executive Office of United States Attorneys Director's Award for Superior Performance as an Assistant United States Attorney (2002)

Metropolitan Police Department Meritorious Service Medal (2001)

Department of Justice Special Achievement Award (1997, 2001)

Cornell University National Scholar (1986)

5. Memberships

List all memberships that you have held in professional, social, business, fraternal, scholarly, civic, or charitable organizations in the last ten years.

Unless relevant to your nomination, you do NOT need to include memberships in charitable organizations available to the public as a result of a tax deductible donation of \$1,000 or less, Parent-Teacher Associations or other organizations connected to schools attended by your children, athletic clubs or teams, automobile support organizations (such as AAA), discounts clubs (such as Groupon or Sam's Club), or affinity memberships/consumer clubs (such as frequent flyer memberships).

<u>Name of Organization</u>	<u>Dates of Your Membership</u> (You may approximate)	<u>Position(s) Held</u>
President's Council of Cornell Women	2004-Present	Member
South Asian Bar Association	1994-Present	Member
Women's Bar Association	2009, 2021-Present	Member
Edward Bennett Williams Inn of Court	2004-Present	Member (Barrister)
District of Columbia Bar	1994-Present	Member
District of Columbia Bar Nominations and Steering Committees	2009-2011	Member
New York State Bar	1993-Present	Member
Chevy Chase Recreation Association	2011-Present	Member
Association of Assistant United States Attorneys, DC	2007-Present	Member/Board Member/President (2009-2010)
Circle Yoga Cooperative	2020-Present	Board Member

D.C. Circuit Historical Society	4/2021-Present	Board Member
Boys and Girls Club of Greater Washington, Fairfax County	2/2021-2/2022	Board Member
Boys and Girls Club of Greater Washington, Washington DC	4/2022-Present	Board Member
Kappa Alpha Theta Sorority	1986-Present	Member

6. Political Activity

(A) Have you ever been a candidate for or been elected or appointed to a political office?
No.

<u>Name of Office</u>	<u>Elected/Appointed/ Candidate Only</u>	<u>Year(s) Election Held or Appointment Made</u>	<u>Term of Service (if applicable)</u>

(B) List any offices held in or services rendered to a political party or election committee during the last ten years that you have not listed elsewhere. None.

<u>Name of Party/Election Committee</u>	<u>Office/Services Rendered</u>	<u>Responsibilities</u>	<u>Dates of Service</u>

(C) Itemize all individual political contributions of \$200 or more that you have made in the past five years to any individual, campaign organization, political party, political action committee, or similar entity. Please list each individual contribution and not the total amount contributed to the person or entity during the year.

<u>Name of Recipient</u>	<u>Amount</u>	<u>Year of Contribution</u>
Biden Victory Fund	\$1000	2020
Actblue*DNC	\$250	2020

7. Publications

List the titles, publishers and dates of books, articles, reports or other published materials that you have written, including articles published on the Internet.

"Ninth Circuit Reaffirms Strict Interpretation of the Attorney Client Privilege in a Corporate Internal Investigation," Nixon Peabody Client Alert, November 2009

"Passage to India – Ensuring 'Safe Travels' in Business," Nixon Peabody Client Alert, December 2008

"FCPA update: The Stakes Just Went Up," Nixon Peabody Client Alert, December 2008

"Nixon Peabody Wins Judgment For Employee in Appeal of Security Clearance Denial," Nixon Peabody Client Alert, October 2007

8. Public Statements

(A) List any testimony, official statements or other communications relating to matters of public policy that you have issued or provided or that others presented on your behalf to public bodies or officials. None that I can recall.

(B) List any speeches or talks delivered by you, including commencement speeches, remarks, lectures, panel discussions, conferences, political speeches, and question-and-answer sessions. Include the dates and places where such speeches or talks were given.

I have listed listed with specificity the speeches and talks I have delivered to the best of my recollection. I also participated in panels or small groups at my place work over the years to talk about things such as my career and diversity and inclusion topics.

"Fireside Chat" discussing my career path, South Asian Bar Association of Washington DC, June 2022.

<https://www.katharinemanning.com/anjali-chaturvedi-on-leading-with-integrity-and-compassion-through-challenging-times/>

- “Career Paths in Government Contracting: A Conversation with Government and Industry Leaders.” George Washington Law School, September 2021. <https://youtu.be/CITYOkakYAAQ>
- “Responding to a Corporate Crisis,” South Asian Bar Association of North America In-House/ Corporate Counsel Section and Stinson LLP, July 2020.
- “Responding to a Corporate Crisis,” South Asian Bar Association of DC & Asian Pacific American Bar Association of DC, February 2020.
- “In-House Counsel Nuts & Bolts,” Dechert law firm, in partnership with the Hispanic and South Asian Bar Associations of DC, January 2020.
- “The Heat is On: Hot Topics in Government Contracts Investigations,” Chief Litigation Counsel Association, November 2018.
- “Mandatory Disclosure 101,” Defense Industry Initiative on Business Ethics and Conduct, June 2018.
- “The Criminalization of Business Judgements & the Pursuit of Business Innovations,” National Association of Criminal Defense Lawyers, April 2018.
- “How to Prepare for and Respond to a Visit from Law Enforcement,” National Association of Criminal Defense Lawyers, April 2017.
- “Don’t Boil the Ocean: First Hand Experiences on How to Properly Scope Your Investigations and Reduce the Risk of Spiraling Costs,” American Conference Institute International Conference on the Foreign Corrupt Practices Act, November 2016.
- “How to Defend High Profile Cases,” South Asian Bar Association of North America, May 2016.
- “Joint Venture Hypotheticals: How to Address the Most Complex Challenges,” American Conference Institute International Conference on the Foreign Corrupt Practices Act, November 2014.
- “Parlez-Vous 18 U.S.C? Defending International Bribery and Money Laundering,” National Association of Criminal Defense Attorneys, October 2013.
- Anti-Corruption Laws: Tips, Traps and Practical Issues for Transactional Lawyers and In-House Counsel,” ABA Business Law Section, International Business Law Committee, April 2013.
- Webinar: “The Foreign Corrupt Practices Act: Spotlight on the Pharmaceutical and Medical Device Industries One Year After the Warning,” Nixon Peabody Webinar, November 2010.
- Webinar: “U.S. Foreign Corrupt Practices Act and India’s Prevention of Corruption Act: A Closer Look at U.S. and Indian Anti-corruption Laws Affecting Cross-border Business Transactions,” Nixon Peabody Webinar, November 2010
- “International Incidents: Why you Need to Worry About the Foreign Corrupt Practices Act (FCPA),” Nixon Peabody’s 4th Annual California MCLE Symposium, January 2009.
- Webinar: “Top Things you Should Know if the Government Comes to Your Door,” Nixon Peabody Webinar, September 2008.

(C) List all interviews you have given to newspapers, magazines or other publications, and radio or television stations (including the dates of such interviews).

Interview with DC Bar Magazine regarding wellness and empathy, May 2020.
<https://washingtonlawyer.dcbbar.org/may2020/index.php#p/32>

Interview with India Abroad regarding appointment as Strike Force Chief, US Attorney's Office in Northern District of California, approximately November 2004.

Interview with Bar None regarding appointment of various South Asian lawyers, approximately July 2005.

Interview with India Abroad regarding role at Nixon Peabody, June 2008.

9. Agreements or Arrangements

X See OGE Form 278. (If, for your nomination, you have completed an OGE Form 278 Executive Branch Personnel Public Financial Disclosure Report, you may check the box here to complete this section and then proceed to the next section.)

As of the date of filing your OGE Form 278, report your agreements or arrangements for: (1) continuing participation in an employee benefit plan (e.g. pension, 401k, deferred compensation); (2) continuation of payment by a former employer (including severance payments); (3) leaves of absence; and (4) future employment.

Provide information regarding any agreements or arrangements you have concerning (1) future employment; (2) a leave of absence during your period of Government service; (3) continuation of payments by a former employer other than the United States Government; and (4) continuing participation in an employee welfare or benefit plan maintained by a former employer other than United States Government retirement benefits. N/A

<u>Status and Terms of Any Agreement or Arrangement</u>	<u>Parties</u>	<u>Date</u> (month/year)

10. Lobbying

**Have you ever registered as a lobbyist? If so, please indicate the state, federal, or local bodies with which you have registered (e.g., House, Senate, California Secretary of State).
No.**

11. Testifying Before the Congress

(A) Do you agree to appear and testify before any duly constituted committee of the Congress upon the request of such Committee? Yes.

(B) Do you agree to provide such information as is requested by such a committee? Yes.

**Nomination Material for
JAIME AREIZAGA-SOTO**

**Statement of Jaime Areizaga-Soto
Nominee for Chairman, Board of Veterans' Appeals
U.S. Department of Veterans Affairs**

**Senate Veterans Affairs Committee
Hearing to Consider Pending Nominations
July 27, 2022**

Chairman Tester, Ranking Member Moran, and Committee Members,

I am humbled and honored to appear in front of you to offer my record and commitment to serve my fellow Veterans as the Chair of the Board of Veterans' Appeals. I am grateful to President Biden for his confidence in nominating me and congratulate Ms. Anjali Chaturvedi on her nomination. I want to thank my own Senators Kaine and Warner for their excellent service, leadership, and active mentorship.

I would not be here but for the sacrifice and lessons of so many. First and foremost, my mother, Baldamina Soto, an elementary school teacher, and my father, José Francisco Areizaga, a Korean War Veteran and lifelong public servant both of whom flew from the Commonwealth of Puerto Rico to join us. Their lives have been committed to service, love, and faith. Through their sacrifice they raised and educated four children, including my brother Javier who is also here. I want to recognize my son, José Juan, who serves as my inspiration to do everything I can to leave a world which is safer for democracy and where we are more respectful to each other and to nature.

I want to thank my teachers, professors, and mentors inside and outside a classroom for their lessons and shared wisdom. They all instilled in me a vocation of service. My life-long focus as a citizen soldier, international lawyer, and public official has been service to others. Since turning 18 and for almost 35 years, I have served in the Army and the National Guard. At present, I serve in uniform as the Deputy General

Counsel at the National Guard Bureau. I knew the importance of the Guard to our common good. The last six years have demonstrated the superb service that the Guard does when our citizens are most vulnerable due to threats at home or abroad.

I want to thank retired General William Navas for his mentorship in the National Guard and retired Colonel Victor Tall, who was my first supervisor when I joined the Army JAG Corps in the 1990's and who is here today. I also thank those who have served as mentors in Veterans affairs, like retired Admiral John Harvey, former Fleet Forces Commander, and with whom I tagged as Secretary of Veterans and Defense Affairs in Virginia. Finally, I want to thank the White House Fellow community for our dedication to servant leadership, bipartisanship, and public service. They are represented by my classmate and fellow Guardsman, retired Air Force General Bobby Doorenboos.

Since childhood, I have been inspired by the selfless sacrifice of so many Veterans. Almost 20 of my relatives have served in the military such as my uncle, who like so many Puerto Ricans fought valiantly in Korea. It is our sacred duty to support our Veterans after they have served and sacrificed for all of us. My experience as an attorney in the private, public and military arenas for over 25 years leading large legal organizations will enable me, if confirmed, to continue the substantial improvements made at the Board.

My leadership mentality follows the Army principle of "Mission First, People Always!". I complement it with my own "One Team, One Fight!" approach so I will center my leadership of the almost 1,200 highly capable and dedicated federal public servants at the Board with the sacred mission of ensuring each Veteran is cared for. I

am inspired by Secretary McDonough's commitment for increased access with better outcomes at the VA and to eliminate the functional backlog at the Board.

I commend the Committee for adopting the Appeals Modernization Act. The Board implemented the AMA in February 2019, and the implementation appears to have been very successful. Although the AMA has been a game-changer, there is still much to be done. The PACT Act will increase the number of claims appealed to the Board. If confirmed, I will promptly integrate the 22 just-announced new Veteran Law Judges to ensure a dramatic increase in the number of claims heard and decided.

In sum, I am a dedicated public servant who has worn the uniform for almost 35 years, committed to our key heroes, those who have volunteered, signed up, and pledged to offer their lives anywhere and at any time to defend the rest of us and the Constitution. We have a sacred duty to care for each Veteran, particularly those who have been wounded or paid the ultimate sacrifice. I hope to have the distinct honor to serve them as the next Chair of the Board of Veterans' Appeals.

Thank you Chairman Tester, Senator Moran, and members of the Committee.

Pre-Hearing Questions for Jaime Areizaga-Soto
Nominee for Chairman, Board of Veterans' Appeals
Submitted by Chairman Jon Tester
Senate Committee on Veterans' Affairs

1. **Why do you want to be the next Chairman of the Board?**

I would be honored to serve as the next Chairman of the Board of Veterans' Appeals to serve, care, and advocate for my fellow Veterans by leading, managing, and strengthening the Board processes to improve the quality and timing of Veterans' appeals. My lifelong commitment is to serve others. I am committed to use my extensive experience as an attorney in the private, civil and as an Army Judge Advocate General leading large legal organizations to help benefit Veterans, their families, caregivers, and survivors.

2. **Congress passed the Appeals Modernization Act (AMA) to reform the claims appeals process and allow veterans to choose between another review by the Administration of jurisdiction or a Board appeal. Initially about one in three veterans chose to go to the Board first. Now, half go straight to the Board, even though that process can take years. If confirmed, what is your plan to guide the Board through this trend in increased workload?**

Based on my experience, I will ensure I thoroughly analyze the current processes and reforms. All the indicators lead to the fact that the Board has made substantial improvements in managing the growing number of claims and in reducing the wait times. I am committed to continue the remarkable progress at the Board. If confirmed, my plan would be to ensure the 22 new Veteran Law Judges are fully operational as soon as possible in order to ensure a dramatic increase in the number of claims heard and decided. My plan is to not only continue increasing the number of appeals heard and decided, but to do so at a faster rate.

3. **The AMA set a goal of 365 days for a "fully developed appeals," i.e., a Direct Appeal. In other words, the Board strives to resolve a veteran's appeal—with the same evidence available to the original Administration of jurisdiction—within one year. On the other end of the spectrum, the Board recently self-imposed a goal to resolve hearings before a Veterans Law Judge within 730 days—two years. Do you think these targets are appropriately set?**

I concur with the goals set by the AMA. Although they are lofty goals, I believe they are achievable provided the Board continues to improve its processes and the almost 1,200 public servants at the Board have the right systems, resources, and technology systems needed to manage the increasing number of claims. If confirmed, it would be my intent to ensure the Board has what it needs to meet those goals.

4. **The Board has made significant progress with pre-AMA ("Legacy") appeals, but there are still 100,000 Legacy appeals pending. What is your plan to resolve these Legacy appeals so the Board can finally commit to AMA appeals?**

If confirmed, the elimination of the Legacy appeals will be a key priority for me. I will not only continue but enhance the highly effective Legacy Appeals Resolution Plan to ensure a continued reduction of the Legacy appeals backlog - by half - to under 50,000 in the first year. By strengthening stakeholder engagement and continuously evaluating resource management practices, I am committed, if confirmed, to continue the Department's plan to eliminate the Legacy appeals within two years.

5. **During the pandemic, the Board made great strides in conducting hearings remotely. What will you do to expand access to the Board, including for those in rural areas that may not have reliable Internet connectivity?**

Internet connectivity and technology have played a critical role in enabling Veterans and the Board to interact more effectively. The dramatic increase in decisions by the Board is directly related to the increase in the number of virtual hearings. However, as you indicate in your question, many of our Veterans, particularly in rural areas, do not have reliable internet connectivity. I understand the Board has expanded its customer experience by allowing Veterans to participate in virtual tele-hearings via mobile cell phones and other similar devices with better connectivity. My plan is to work with our partners to expand opportunities for Veterans in more rural areas to have more localized facility and technology support that offer reliable internet connectivity.

6. **How do you intend to coordinate with CAVC to reduce recurring errors from the Board?**

I appreciate how important the coordination with CAVC is to ensure the full, final, and correct resolution of Veterans' appeals. Particularly, I am committed to reduce the number of cases that are remanded by the CAVC back to the Board in lieu of being resolved at the CAVC level.

I will promptly review and implement any legal issues resolved by the CAVC. I will also coordinate closely with the Office of the General Counsel to ensure the Board's decisions are well presented and explained to the CAVC.

7. **The majority of the Board's workload comes from veterans appealing Veterans Benefits Administration (VBA) decisions. Is there a role for the Board in helping to reduce recurring errors from VBA?**

I will do anything and everything to care for each Veteran. Thus, I am committed to working collaboratively with every other agency within the Department of Veterans Affairs to reduce delays and/or errors in deciding a Veteran's claim.

8. **The Veterans Health Administration (VHA) has lagged behind VBA in finalizing its AMA program. What will you do coordinate with VHA to address this delay?**

The Board implemented the AMA program in February 2019 and the implementation appears to have been very successful. If confirmed, I will identify lessons learned and other important feedback the Board can provide to the VHA to support their own full implementation of the AMA program.

9. **Many law school clinics provide veterans help with their appeals. How do you intend to establish and cultivate relationships between the Board and these clinics?**

This issue is very close and dear to me as we promoted law school clinics in Virginia during my tenure as Deputy Secretary of Veterans and Defense Affairs, and I've interacted with clinics across the Nation to represent National Guard soldiers. As an Army Judge Advocate, the law school clinics have been a tremendous source of outstanding candidates to the JAG Corps. The law school clinics are instrumental resources to many Veterans. My experience as a leader in various Bar Associations has taught me ways to engage also with law school administrators and law students, which will not only promote the clinics, but also with recruiting for attorneys and staff at the Board.

10. What is your plan to establish and cultivate relationships between the Board and Veteran Service Organizations and other veteran advocacy groups, with a focus on encouraging better participation in remote hearings?

In my past role as Deputy Secretary of Veterans and Defense Affairs of Virginia I engaged actively and directly with the Joint Leadership Council of Veterans Service Organizations, which met on a regular basis and included a representative from over 20 VSOs. I have been a member of and/or volunteered with a number of VSOs. My plan is to engage with the VSOs to address issues to improve the participation in and efficiency of virtual tele-hearings.

11. Board hearings are often the first time veterans engage lawyers to represent them. What is your plan to establish and cultivate relationships between the Board and groups representing veterans' law attorneys?

This issue is personal for me as I have worn the uniform and practiced law for my whole professional life. Bridging the relationship between counsel and Veterans is an essential part of how I can care for my fellow Veterans. I will engage directly with groups representing Veterans to ensure that the role played by VA in certifying them is accessible and fair while at the same time guaranteeing the full and proper representation each Veteran throughout the full lifetime of the case until all claims are fully resolved.

12. What is your plan to ensure the Board hires and retains top quality employees?

As the son of a career civil servant and Veteran and based on my own experience as a civilian attorney in the Federal Government and as a Cabinet-member in Virginia, I am very impressed with the talent, dedication, and commitment of public servants. I am particularly grateful to those who decide to serve Veterans or are Veterans themselves. The Board has had dramatic personnel growth during the last five years as it has gone from around 800 team members to almost 1,200. Upon confirmation, my plan is to conduct a listening tour and analyze the data and processes in order to provide the best conditions and opportunities for the Board personnel. As to recruiting, one idea I would explore is to engage with the various services JAG Corps to make sure military spouses and transitioning judge advocates are aware of the opportunities at the Board.

13. It appears the Board needs significant upgrades in its IT to keep up with caseloads. What is your plan to advocate for Board IT needs compared to other competing VA priorities?

Technology platforms and resources are fast-evolving and provide great opportunities for managing legal appeals and processes to achieve higher productivity all-around. I will educate myself on the current IT, analyze the issues, identify significant upgrades, engage with the various stakeholders, advocate for the resources, and implement effectively. In consultation with the Assistant Secretary for Information and Technology, I would advocate for these Board IT needs while demonstrating the return and benefits for our Veterans and caseloads on any investment of IT. If confirmed, my whole of government experience and approach will direct me in communicating, coordinating, and collaborating with my fellow leaders at the VA to ensure the Board priorities are appropriately evaluated and considered as part of the overall VA priorities.

**Pre-hearing Questions for Jaime Areizaga-Soto
Nominee to be Chairman of the Board of Veterans' Appeals
Department of Veterans Affairs
From Senator Jerry Moran**

1. Please state why you want to be Chairman of the Board of Veterans' Appeals and what skills and experience make you qualified for this important role.

I would be honored to serve as the next Chairman of the Board of Veterans' Appeals to serve, care, and advocate for my fellow Veterans by leading, managing, and strengthening the Board processes to improve the quantity, quality, and timing of Veterans' appeals. My lifelong commitment to service and to Veterans combined with my extensive experience as an attorney in the private sector, civil service, and as an Army Judge Advocate General leading large legal organizations on behalf of service members, clients, and Veterans qualify me for this important role.

2. If confirmed, what will your priorities be?

If confirmed, my key priorities will be (1) improving Veteran trust and experience with their appeals before the Board; (2) increasing the number of appeals resolved by the Board on a yearly basis; (3) advancing the elimination of the backlog of Legacy appeals; and (4) hiring, training, and leading professional development of the new Veteran Law Judges and every employee at the Board.

It would also be my goal to not only continue, but also enhance the highly effective Legacy Appeals Resolution Plan to ensure a continued reduction of the Legacy appeals backlog in half to under 50,000 in the first year. By strengthening stakeholder engagement and continuously evaluating project management practices, I plan, if confirmed, to eliminate the Legacy appeals within two years.

3. Please describe your professional work for the last 10 years, including positions held, major job duties, operating budgets, and number of subordinate employees and/or organizations. Also, please include any major accomplishments for each position.

3.1 Principal Deputy General Counsel, National Guard Bureau (Mobilized to active duty since March 2022.)

- a. Employer: Office of the General Counsel, National Guard Bureau
- b. Job duties: Serve as the most senior uniformed Army Judge Advocate in the Army National Guard. Serve as legal advisor to the Chief of the National Guard Bureau, who is a member of the Joint Chiefs of Staff, and to six other senior military offices (3 & 2-star generals) in the Army and Air National Guard as the Bureau serves its mission to be the channel of communications between and among the Secretaries of the Air Force and the Army and the 54 National Guards.
- c. Staff Positions Supervised: Over 100 military and civilian attorneys, legal administrators, and paralegals at the Office of the General Counsel
- d. Staff Positions supervised: 15 Division Chiefs

**Pre-hearing Questions for Jaime Areizaga-Soto
Nominee to be Chairman of the Board of Veterans' Appeals
Department of Veterans Affairs
From Senator Jerry Moran**

- e. Office/unit budget: \$5 million
 - f. Major accomplishments: Ensure outstanding legal advice to senior leaders on highly complex legal issues and manage the legal team while confronting the COVID-19 / telework initiatives.
- 3.2 Chief, Army National Guard Trial Defense Service (2018-2021)
- a. Employer: U.S. Army Judge Advocate General's Corps
 - b. Job duties: Lead, manage, train and evaluate the Army National Guard legal and criminal defense formation.
 - c. Size of staff supervised: 218 attorneys, a legal administrator, and paralegals who represent the 335,000 soldiers across the 54 National Guards
 - d. Staff Positions supervised: 61 managing attorneys including Full-time Support OIC and 8 Regional Defense Counsels
 - e. Office/unit budget: \$1.8 million
 - f. Major accomplishments: Expanding the Full-Time Support Program from 25 National Guards to all 54 National Guards. Was awarded a Legion of Merit for performance and achievements during tenure.
- 3.3 Deputy Secretary of Veterans and Defense Affairs (2014-2022; on military leave from 2018-2022)
- a. Employer: Office of the Governor of Virginia / State Cabinet
 - b. Job duties: Supervised, managed, and supported budget development of the Virginia Department of Veterans Services, an agency of 800 employees and a \$60 million budget, which supports approximately 730,000 Virginia veterans, 130,000 active duty military members, and their families.
 - c. Size of staff supervised: 800 agency employees and later on added the Virginia National Guard for a total of 8,000 employees and service members
 - d. Staff Positions supervised: Four direct reports and two Agency heads for the
 - e. Office/unit budget: \$1.2 million in the Secretary's office, but over \$100 million when incorporating the agencies supervised: the Department of Veterans Services and the Virginia National Guard.
 - f. Major accomplishments: Developed and implemented initiatives on issues affecting military families and/or veterans, including developing a strategy to enable the construction of two 128-bed veterans care centers. Working closely with Secretary John Harvey (Admiral, U.S. Navy (Ret.)), managed and inspired high performance among team members to obtain quality results, including (1) opening ten new Benefits offices; (2) hiring over 35,000 veterans through the Virginia Values Veterans (V3) program; (3) developing and adopting the Military Medic and Corpsman (MMAC) program, the first state with such a program; (4) making Virginia the 1st state to functionally end veterans homelessness in November 2015; (5) adopting the military child identifier legislation; (6) housing over 3,200 homeless veterans; and (7) reaching agreement between the Navy, the

**Pre-hearing Questions for Jaime Areizaga-Soto
Nominee to be Chairman of the Board of Veterans' Appeals
Department of Veterans Affairs
From Senator Jerry Moran**

Virginia National Guard and other state entities to ensure the use by the Navy of Camp Pendleton in Virginia Beach for critical training, thereby strengthening Hampton Roads military value.

3.4 Commander, Legal Support Office National Guard Bureau (2015-2018)

- a. Employer: U.S. Army National Guard
- b. Position Held: Commander
- c. Size of staff supervised: 30 attorneys and paralegals
- d. Staff Positions supervised: 11 lead attorneys and senior paralegals
- e. Office/unit budget: ~\$380k
- f. Major accomplishment: Recruited around 10 attorneys to expand the formation from under 20 to a total of 30 attorneys and paralegals.

3.5 Class President, Senior Service College (2013-2014)

- a. Title and employer; Inter-American Defense College
- b. Size of staff: Elected by 54 colonels and senior civilians from every U.S. military service and component, as well as senior military officers from 15 other countries, to lead class activities and events.
- c. Staff Positions supervised: N/A
- d. Office/unit budget: ~\$5k

4. VA is charged with providing various benefits and services for qualifying veterans and family members. In general terms, please describe the outcomes that VA should be seeking for veterans through these benefits and services.

The VA needs to ensure the prompt and correct implementation of Congressionally-mandated programs, benefits, and services for Veterans, their families, caregivers and survivors. I would strive to bring together the efficiencies of the private sector, the commitment of the Armed Forces, and the care and compassion of the public sector to help deliver an experience for Veterans where they feel respected, honored, and are treated fairly.

5. Please describe any direct experience you have dealing with claims or appeals to the Department of Veterans Affairs.

My experience with the Board relates to my involvement as a senior Army Judge Advocate and as the Deputy Secretary of Veterans and Defense Affairs in Virginia. As a military Officer myself, many of my fellow service members have submitted claims and some have appealed to the Board. As Deputy Secretary from 2014 until my mobilization to active duty in late 2018, I led my team to focus extensively on wait times for benefits. We obtained state funding and invested in training and salaries for Veteran Service Representatives and expanded the number of Benefits' offices from 20 to 30, including

**Pre-hearing Questions for Jaime Areizaga-Soto
Nominee to be Chairman of the Board of Veterans' Appeals
Department of Veterans Affairs
From Senator Jerry Moran**

opening one office at the Pentagon. The Pentagon office of the Virginia Department of Veterans Services serves all Veterans regardless of residency. We also made sure to have attorneys available to assist Veterans with their appeals to the Board with support from our office in Roanoke, VA.

6. Please describe your approach to managing a large organization and how you would apply that to accomplishing BVA's mission.

My experience as an attorney in the private sector, civil service, and as an Army Judge Advocate for over 25 years leading large legal organizations will enable me, if confirmed, to continue the substantial improvements made at the Board. My leadership mentality follows the Army principle of "Mission First, People Always!" I complement it with my own "One Team, One Fight!" approach so I will center my leadership of the almost 1,200 highly capable and dedicated federal public servants at the Board with the sacred mission of ensuring each Veteran is cared for. I am inspired by Secretary McDonough's commitment to constant improvement at the VA.

I commend the Committee for adopting the Appeals Modernization Act. The Board implemented the AMA in February 2019 and the implementation appears to have been very successful. Although the AMA has been a game-changer, there is still much to be done. The PACT Act will increase the number of claims appealed to the Board. If confirmed, I will promptly integrate the 22 just-announced new Veteran Law Judges to ensure a dramatic increase in the number of claims heard and decided.

7. Based on your understanding of veterans law, how important is it that a veteran or beneficiary is able to appeal any decision by a VA official that impacts their entitlement to benefits? Do you believe any such cases do not warrant the right to an appeal?

As a practicing attorney and Veteran myself, I believe it is important for a Veteran or beneficiary to be able to appeal any adverse decision by a VA official impacting their entitlement to benefits. While I am certain the VA makes every effort to issue correct decisions, I think we all recognize mistakes can happen. That is why it is important for the Veteran to have the option to appeal once any initial determinations are made that are adverse to the Veteran. The Board is reaching 89 years this month and I believe its longstanding role serving as a recourse for Veterans to appeal their decisions has proven a success because of the number of cases resolved where relief was granted to deserving Veterans and their families.

**Pre-hearing Questions for Jaime Areizaga-Soto
Nominee to be Chairman of the Board of Veterans' Appeals
Department of Veterans Affairs
From Senator Jerry Moran**

- 8. In testimony before this committee, VA indicated that its claims backlog will increase to more than 1.5 million claims after enactment of the *Robinson PACT Act*. Increases in claims mean an increase in appeals.**

- a. If you are confirmed, how would you prepare BVA to successfully meet the expected spike in appeals from the *Robinson PACT Act*?**

If confirmed, my plan would be to ensure the 22 new Veteran Law Judges are fully operational as soon as possible in order to have a dramatic increase in the number of claims heard and decided. I will focus on ensuring the Board continues to improve its processes and that the almost 1,200 public servants at the Board have the right systems, resources, and technology systems needed to manage the increasing number of claims and further improve productivity.

- b. Have you spoken to Secretary McDonough about your role as Chairman, and did you discuss the potential impact of the *Robinson PACT Act* on BVA?**

Although I have not spoken with Secretary McDonough about the role as Chairman, I look forward to doing so if confirmed. I am aware of his deep commitment for my fellow Veterans and his excellent leadership and experience. I recognize how frustrating it is to earn a right but then have to wait for an appeal to be heard and decided. If confirmed, I look forward to the honor of serving with him and working with you on behalf of our Veterans.

UNITED STATES SENATE
COMMITTEE ON VETERANS' AFFAIRS

ROOM 412 RUSSELL SENATE OFFICE BUILDING
WASHINGTON, D.C. 20510
Telephone: (202) 224-9126

QUESTIONNAIRE
FOR PRESIDENTIAL NOMINEES

The Rules of the U.S. Senate Committee on Veterans' Affairs require that a Presidential nominee whose nomination is referred to the Committee submit, on a form approved by the Committee, a sworn statement concerning his or her background and financial interests, including the financial interests of the nominee's spouse and children living in the nominee's household. The Committee form is in two parts:

- (A) Information concerning the employment, education, and relevant background of the nominee, which is made public; and
- (B) Information concerning the financial and other background of the nominee, which is made public only when the Committee determines that such information bears directly on the nominee's qualifications to hold the position to which the individual is nominated.

Committee action on a nomination, including hearings or a meeting to consider a motion to recommend confirmation, shall not be initiated until at least five days after the nominee submits this form unless the Chairman, with the concurrence of the Ranking Minority Member, waives the waiting period.

In order to assist the Committee in its consideration of nominations, the Committee requests that each nominee complete the attached Questionnaire for Presidential Nominees. The notarized original and any supplemental information should be delivered to:

Committee on Veterans' Affairs
United States Senate
Room 412, Russell Senate Office Building
Washington, D.C. 20510

Attention: Chief Clerk

PART I: ALL OF THE INFORMATION IN THIS PART WILL BE MADE PUBLIC

1. Basic Biographical Information

Please provide the following information.

<i>Position to Which You Have Been Nominated</i>	
<u>Name of Position</u>	<u>Date of Nomination</u>
<u>Chairman, Board of Veterans Appeals</u>	<u>April 25, 2022</u>

<i>Current Legal Name</i>			
<u>First Name</u>	<u>Middle Name</u>	<u>Last Name</u>	<u>Suffix</u>
Jaime	Ariel	Areizaga-Soto	

<i>Addresses</i>					
<u>Residential Address</u> (do not include street address)			<u>Office Address</u> (include street address)		
			Street: 111 S. George Mason Dr.		
City: Arlington	State: VA	Zip: 22201	City: Arlington	State: VA	Zip: 22204

<i>Other Names Used</i>						
<u>First Name</u>	<u>Middle Name</u>	<u>Last Name</u>	<u>Suffix</u>	<small>Check if Multiple Names</small>	<u>Name Used From</u> (Month/Year) (Check box if estimate)	<u>Name Used To</u> (Month/Year) (Check box if estimate)
Jaime	Ariel	Areizaga			8/87 Est <input type="checkbox"/>	Present Est <input type="checkbox"/>

<i>Birth Year and Place</i>	
Year of Birth (Do not include month and day)	Place of Birth
1969	San Juan, PR

<i>Marital Status</i>					
Check All That Describe Your Current Situation:					
Never Married	Married	Separated	Annulled	Divorced	Widowed
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

<i>Spouse's Name</i> (current spouse only)			
Spouse's First Name	Spouse's Middle Name	Spouse's Last Name	Spouse's Suffix

<i>Spouse's Other Names Used</i> (current spouse only)						
First Name	Middle Name	Last Name	Suffix	Check if Multiple Names	Name Used From (Month/Year) (Check box if estimate)	Name Used To (Month/Year) (Check box if estimate)
					Est <input type="checkbox"/>	Est <input type="checkbox"/>

<i>Children's Names (if over 18)</i>			
First Name	Middle Name	Last Name	Suffix

2. Education

List all post-secondary schools attended.

<u>Name of School</u>	<u>Type of School</u> (vocational/technical/trade school, college/university/military college, correspondence/distance/extension/online school)	<u>Date Began School</u> (month/year) (check box if estimate)	<u>Date Ended School</u> (month/year) (check box if estimate) (check "present" box if still in school)	<u>Degree</u>	<u>Date Awarded</u>
Georgetown University	College: School of Foreign Service	8/87 Est <input type="checkbox"/>	5/91 Est <input type="checkbox"/> Present <input type="checkbox"/>	BSFS	5/91
Stanford University	Graduate School: Latin American Studies	8/92 Est <input type="checkbox"/>	6/94 Est <input type="checkbox"/> Present <input type="checkbox"/>	MA	6/94
Stanford Law School	Law School	8/91 Est <input type="checkbox"/>	6/94 Est <input type="checkbox"/> Present <input type="checkbox"/>	JD	6/94
National Academy of Strategic and Political Studies	Graduate Program in Strategic Studies	7/13 Est <input type="checkbox"/>	6/14 Est <input type="checkbox"/> Present <input type="checkbox"/>	MS	6/14
Inter-American Defense College	Senior Service College: Hemispheric Security and Defense Studies	7/13 Est <input type="checkbox"/>	6/14 Est <input type="checkbox"/> Present <input type="checkbox"/>	MS	6/14

3. Employment

(A) List all of your employment activities, including unemployment and self-employment. If the employment activity was military duty, list separate employment activity periods to show each change of military duty station. Do not list employment before your 18th birthday unless to provide a minimum of two years of employment history.

<u>Type of Employment</u> (Active Military Duty Station, National Guard/Reserve, USPHS Commissioned Corps, Other federal employment, State Government (Non-federal Employment), Self-employment, Unemployment, Federal Contractor, Non-Government Employment (excluding self-employment), Other)	<u>Name of Your Employer/Assigned Duty Station</u>	<u>Most Recent Position Title/Rank</u>	<u>Location</u> (City and State only)	<u>Date Employment Began</u> (month/year) (check box if estimate)	<u>Date Employment Ended</u> (month/year) (check box if estimate) (check "present" box if still employed)
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Non-government employment	Georgetown University	Work-study	Washington, DC	8/87	Est <input type="checkbox"/>	Est Present <input type="checkbox"/> <input type="checkbox"/>
Non-government employment	Cuban-American National Foundation	Congressional and Human Rights Intern	Washington, DC	11/87	Est <input type="checkbox"/>	Est Present 6/89 <input type="checkbox"/> <input type="checkbox"/>
Non-government employment	Puerto Rico Federal Affairs Administration	Congressional Intern	Washington, DC	1/89	Est <input type="checkbox"/>	Est Present 2/91 <input type="checkbox"/> <input type="checkbox"/>
Non-government employment	Georgetown University	Resident Assistant	Washington, DC	8/89	Est <input type="checkbox"/>	Est Present 7/91 <input type="checkbox"/> <input type="checkbox"/>
Non-government employment	Ware & Freidenrich LLP	Summer Associate	Palo Alto, CA	6/93	Est <input type="checkbox"/>	Est 8/93 <input type="checkbox"/>
Non-government employment	Paul Weiss Rifkind Wharton & Garrison LLP	Associate	Washington, DC	6/93 11/94	Est <input type="checkbox"/>	Est 8/93 8/96 <input type="checkbox"/>
Non-government employment	Hogan & Hartson LLP	Senior Associate	Washington, DC	8/96	Est <input type="checkbox"/>	Est 3/99 <input type="checkbox"/>
National Guard	Army National Guard	Lieutenant Colonel	Washington, DC	1/98	Est <input type="checkbox"/>	Est 7/13 <input type="checkbox"/>
Non-government employment	White & Case LLP	Senior Associate	New York, NY	3/99	Est <input type="checkbox"/>	Est 8/99 <input type="checkbox"/>
Non-government employment	Clifford Chance LLP	Senior Associate	New York, NY	9/99	Est <input type="checkbox"/>	Est 8/07 <input type="checkbox"/>
Other federal employment	The White House: Department of the Treasury	White House Fellow	Washington, DC	8/07	Est <input type="checkbox"/>	Est 4/09 <input type="checkbox"/> X
Unemployment	Unemployment			4/09	Est <input type="checkbox"/>	Est 12/09 <input type="checkbox"/> X
State Government (Non-federal Employment)	Senate of Virginia	Political Adviser	Richmond, VA	12/09	Est <input type="checkbox"/>	Est 5/10 <input type="checkbox"/>
Other federal employment	U.S. Agency for International Development	Senior Attorney Adviser	Washington, DC	5/10	Est <input type="checkbox"/>	Est 4/11 <input type="checkbox"/>
Self-Employment	Self-employment			4/11	Est <input type="checkbox"/>	Est 5/12 <input type="checkbox"/>
Non-government employment	Democratic National Committee	Deputy Director	Washington, DC	5/12	Est <input type="checkbox"/>	Est 7/13 <input type="checkbox"/>
Active Military	Senior Service College	Army Colonel	Washington, DC	7/13	Est <input type="checkbox"/>	Est 6/14 <input type="checkbox"/>

Army National Guard	DC National Guard	Unit Commander	Washington, DC	6/14	Est <input type="checkbox"/>	11/18	Est <input type="checkbox"/>
State Government (Non-federal Employment)	Office of the Governor, Commonwealth of Virginia	Deputy Secretary of Veterans and Defense Affairs	Richmond, VA	11/14 (Military leave as of 11/18)	Est <input type="checkbox"/>	1/22 (Returned from military leave on 11/21.)	Est <input type="checkbox"/>
Active Military	Army National Guard	Chief, Trial Defense Service	Arlington, VA	11/18	Est <input type="checkbox"/>	08/21	Est <input type="checkbox"/>
Active Military	National Guard Bureau, Department of Defense	Special Assistant to the General Counsel, National Guard Bureau	Arlington, VA	08/21	Est <input type="checkbox"/>	11/21	Est <input type="checkbox"/>
National Guard	National Guard Bureau, Department of Defense	Special Assistant to the General Counsel, National Guard Bureau	Arlington, VA	11/21	Est <input type="checkbox"/>	02/22	Est <input type="checkbox"/>
Active Military	National Guard Bureau, Department of Defense	Principal Deputy General Counsel, National Guard Bureau	Arlington, VA	03/22	Est <input type="checkbox"/>	Present	Est <input type="checkbox"/>

(B) List any advisory, consultative, honorary or other part-time service or positions with federal, state, or local governments, not listed elsewhere.

<u>Name of Government Entity</u>	<u>Name of Position</u>	<u>Date Service Began</u> (month/year) (check box if estimate)	<u>Date Service Ended</u> (month/year) (check box if estimate) (check "present" box if still serving)
Arlington County Transportation Commission	Commissioner	1/11 Est <input type="checkbox"/>	2/15 Est Present <input type="checkbox"/> <input type="checkbox"/>

4. Honors and Awards

List all scholarships, fellowships, honorary degrees, civilian service citations, military medals, academic or professional honors, honorary society memberships and any other special recognition for outstanding service or achievement.

Legion of Merit
 2019 Outstanding Career Judge Advocate Award, The Judge Advocates Association
 Meritorious Service Medal (with 1 Bronze Oak Leaf Cluster)
 Army Commendation Medal (with 1 Bronze Oak Leaf Cluster)
 Air Force Commendation Medal

White House Fellow, Class of 2007-2008
 Army Achievement Medal
 Air Force Achievement Medal
 Army Reserve Components Achievement Medal (with 1 Silver Oak Leaf Cluster)
 National Defense Service Medal
 Military Outstanding Volunteer Service Medal
 Armed Forces Reserve Medal (with Silver Hours Glass Device)
 National Hispanic Scholar: 1988, 1989, 1990, 1992 & 1994
 Pi Sigma Alpha (The National Political Science Honor Society)
 Eagle Scout, Boy Scouts of America, Puerto Rico Council (1987)

5. Memberships

List all memberships that you have held in professional, social, business, fraternal, scholarly, civic, or charitable organizations in the last ten years.

Unless relevant to your nomination, you do NOT need to include memberships in charitable organizations available to the public as a result of a tax deductible donation of \$1,000 or less, Parent-Teacher Associations or other organizations connected to schools attended by your children, athletic clubs or teams, automobile support organizations (such as AAA), discounts clubs (such as Groupon or Sam's Club), or affinity memberships/consumer clubs (such as frequent flyer memberships).

<u>Name of Organization</u>	<u>Dates of Your Membership</u> (You may approximate)	<u>Position(s) Held</u>
Stanford Associates	2021 - Present	Board Member
National Guard Association of the United States	All 10 years	Lifetime Member
White House Fellows Alumni Association	All 10 years	Lifetime Member
Hispanic National Bar Association	All 10 years	Vice President of Regions 2014-2016 Vice President of Membership 2016-2017
Hispanic Bar Association of the District of Columbia	All 10 years	President 2013
Georgetown University Alumni Association	All 10 years	Lifetime Member
Kaine Leadership Council	All 10 years	Member

Stanford University Alumni Association	All 10 years	Lifetime Member
Warner Advisory Group	All 10 years	Member
Boys Scouts of America, Heart of Virginia Council	2016-2018	Vice President
Military Officers Association of America	2016-2017	Member
Bar of the U.S. Supreme Court	All 10 years	Member
Virginia State Bar	2015 - Present	Member
New York State Bar	All 10 years	Member
Bar of the District of Columbia	All 10 years	Member
Maryland State Bar	All 10 years	Member
Hispanic Leaders Association	2008 - 2014	Board Member
National Puerto Rican Coalition	2009 - 2013	Treasurer

6. Political Activity

(A) Have you ever been a candidate for or been elected or appointed to a political office?

<u>Name of Office</u>	<u>Elected/Appointed/ Candidate Only</u>	<u>Year(s) Election Held or Appointment Made</u>	<u>Term of Service (if applicable)</u>
Deputy Secretary of Veterans and Defense Affairs, Commonwealth of Virginia	Appointed	2018	2018-2022
Deputy Secretary of Veterans and Defense Affairs, Commonwealth of Virginia	Appointed	2014	2014-2018
31 st District, Senate of Virginia	Candidate	2011	N/A

Senior Attorney Advisor, Office of the General Counsel, U.S. Agency of International Development (USAID)	Appointed	2010	2010-2011
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(B) List any offices held in or services rendered to a political party or election committee during the last ten years that you have not listed elsewhere.

<u>Name of Party/Election Committee</u>	<u>Office/Services Rendered</u>	<u>Responsibilities</u>	<u>Dates of Service</u>
Democratic National Committee	Deputy Director of Hispanic Affairs	Coordinate Hispanic strategy and outreach.	2012-2013
Steering Committee, Democratic Party of Virginia	Member	Represent the Democratic Latino Organization of Virginia in the Steering Comm. of the state party.	2011-2013
Democratic Latino Organization of Virginia	President	Coordinate Latino members across the Commonwealth of Virginia.	2011-2013
4 th Congressional District Central Committee	Member	Support the Democratic congressman in the 4 th Congressional District.	2017-2018
8 th Congressional District Central Committee	Member	Support the Democratic congressman in the 8 th Congressional District.	2011-2013
Democratic National Convention 2016	Delegate	Participate as an at-large Delegate for Hillary Clinton.	2016

(C) Itemize all individual political contributions of \$200 or more that you have made in the past five years to any individual, campaign organization, political party, political action committee, or similar entity. Please list each individual contribution and not the total amount contributed to the person or entity during the year.

<u>Name of Recipient</u>	<u>Amount</u>	<u>Year of Contribution</u>
Forward Together PAC	1,000	6 Nov 2021
Kaine for Virginia	2,500	5 Oct 2021
Terry for Governor	1,000	3 Oct 2021
Elizabeth Guzman for Delegate	200	30 May 2021

Terry for Virginia	250	25 Apr 2021
Committee to Re-Elect Nydia Velazquez to Congress	1,000	23 Apr 2021
Act Blue Alex Padilla	250	21 Feb 2021
Friends of Mark Warner	250	18 Feb 2021
Kaine For Common Ground PAC	1,000	18 Feb 2021
Presidential Transition Fund	1,000	28 Oct 2020
Jon Ossoff For Senate	500	19 Nov 2020
Warnock For Senate	500	19 Nov 2020
Committee to Re-Elect Nydia M. Velazquez to Congress	250	19 Oct 2020
Common Ground PAC	1,000	8 Oct 2020
Menendez For Senate	500	30 Sep 2020
Friends of Mark Warner	1,000	30 Sep 2020
Biden Victory Fund	2,800	30 Sep 2020
Comité Amigos Carlos Delgado Altieri	250	13 Sep 2020
Biden Victory Fund	5,600	24 Aug 2020
Anibal Comisionado 2020	250	5 Aug 2020
Biden Victory Fund	10,000	23 Jul 2020

Biden Victory Fund	2,800	29 Jun 2020
Biden Victory Fund	2,800	29 Jun 2020
Biden Victory Fund	250	12 Jun 2020
Comité Equipo Bhatia	500	1 Jun 2020
Dan Feehan For Congress	200	25 May 2020
Biden Victory Fund	2,800	26 Apr 2020
Elizabeth Guzman for Delegate	500	29 Sep 2019
Hala Ayala for Delegate	500	29 Sep 2019
Babur Lateef for Prince William County School Board Chair	250	28 Sep 2019
Friends of Mark Warner	2,800	28 Sep 2019
Ghazala Hashmi for Senate	1,000	28 Sep 2019
Babur Lateef for Prince William County School Board Chair	500	18 Jul 2018
Kaine Victory Fund	2,500	18 May 2018
Kaine Victory Fund	250	31 Mar 2018
Wexton for Congress	500	23 Jan 2018
Northam for Governor	2,500	1 Aug 2017
Kaine for Virginia	2,600	31 Mar 2017

7. Publications

List the titles, publishers and dates of books, articles, reports or other published materials that you have written, including articles published on the Internet.

<u>Title</u>	<u>Publisher</u>	<u>Date(s) of Publication</u>
The Sovereignty of Commonwealth	Opinion Column in El Nuevo Día	2016
The Elections in Venezuela	Opinion Column in El Nuevo Día	1998

8. Public Statements

(A) List any testimony, official statements or other communications relating to matters of public policy that you have issued or provided or that others presented on your behalf to public bodies or officials.

NOVEMBER 2018: ARLINGTON COUNTY SCHOOL BOARD: 2-minute oral presentation in support of maintaining Key School at the Courthouse site. School was moved.

2012 OR 2013: VIRGINIA HOUSE OF DELEGATES: 1-minute oral testimony at a Committee Hearing in opposition to a bill which would have required police officers to act as Immigration and Custom Enforcement agents. Bill was defeated.

2011: REDISTRICTING PROCESS: Oral testimony at a public hearing at George Mason University in support of taking into account minority representation in Northern Virginia.

(B) List any speeches or talks delivered by you, including commencement speeches, remarks, lectures, panel discussions, conferences, political speeches, and question-and-answer sessions. Include the dates and places where such speeches or talks were given.

Provide keynote remarks at Opening Ceremony of Veteran's Center in Petersburg, VA: 2014

Virginia Latino Higher Education Network: Provide graduation remarks to high school student college preparatory program at Virginia Tech (2013)

Arlington County: September 15, 2016: Provide Hispanic Heritage Month remarks as Deputy Secretary of Veterans and Defense Affairs in Virginia.

NATO Industry Day: 2017 and 2018 – Provide remarks of Virginia’s support to NATO Headquarters in Norfolk, VA.

Hampton Roads Military and Federal Facilities Alliance: Various panels in representation of the Governor’s Office from 2015 to 2017.

Norfolk and Virginia Beach Bar Association (circa 2018): Provide briefing of statewide services to Veterans.

Peninsula Chamber of Commerce: Provide briefing in 2018 of statewide services to Veterans.

Power 4PR Coalition Panel: February 11, 2020: Self-Determination of Puerto Rico

(C) List all interviews you have given to newspapers, magazines or other publications, and radio or television stations (including the dates of such interviews).

El Nuevo Día: 2021 re: Serving as Army General at the Office of the General Counsel, National Guard Bureau

Entravision: Regarding Obama Reelection Campaign (May to November 2012)

Colorado, Florida, Nevada and Wisconsin: radio/tv interviews (May to November 2012)

United States Information Agency: numerous participations in Friday morning TV program “Foro Interamericano” to provide a U.S. perspective in Spanish to a Latin American audience.

2008: TV Spain: a panel to provide a U.S. perspective to a Spanish audience.

9. Agreements or Arrangements

X <input type="checkbox"/> See OGE Form 278. (If, for your nomination, you have completed an OGE Form 278 Executive Branch Personnel Public Financial Disclosure Report, you may check the box here to complete this section and then proceed to the next section.)

As of the date of filing your OGE Form 278, report your agreements or arrangements for: (1) continuing participation in an employee benefit plan (e.g. pension, 401k, deferred compensation); (2) continuation of payment by a former employer (including severance payments); (3) leaves of absence; and (4) future employment.

Provide information regarding any agreements or arrangements you have concerning (1) future employment; (2) a leave of absence during your period of Government service; (3)

continuation of payments by a former employer other than the United States Government; and (4) continuing participation in an employee welfare or benefit plan maintained by a former employer other than United States Government retirement benefits.

<u>Status and Terms of Any Agreement or Arrangement</u>	<u>Parties</u>	<u>Date</u> (month/year)

10. Lobbying

Have you ever registered as a lobbyist? If so, please indicate the state, federal, or local bodies with which you have registered (e.g., House, Senate, California Secretary of State).
NO

11. Testifying Before the Congress

(A) Do you agree to appear and testify before any duly constituted committee of the Congress upon the request of such Committee?
YES

(B) Do you agree to provide such information as is requested by such a committee?
YES

